REPORT

FROM THE

SELECT COMMITTEE

ON

Criminal Commitments and Convictions;

TOGETHER WITH THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE COMMITTEE.

[COMMUNICATED FROM THE COMMONS TO THE LORDS.]

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the CAUSE of the INCREASE in the Number of CRIMINAL COMMITMENTS and CONVICTIONS in *England* and *Wales;* and who were empowered to report their Observations and Opinion thereupon, together with the MINUTES of EVIDENCE taken before them, to The House;—Have inquired into the Matters to them referred, and agreed upon the following REPORT:

THE Appointment of the Committee having taken place late in the Session, there has not been sufficient time either for complete inquiry or mature deliberation on the whole of the important subject referred to them. But the evidence given before them upon one branch of their inquiry, appears to them of such considerable value as to justify their making a separate Report, calling the attention of the House to its bearing and effect.

The first object to which the attention of your Committee was turned, was to inquire into the increase of the number of commitments as compared with the increase of the population. The increase of population from 1801 to 1821 is as follows;

England and Wales.

1801	-	8,872,986
1811	-	10,150,615
1821	-	11,977,663

The number of commitments for trial in England and Wales from 1806 to 1826:—

1806	-	4,346
1816	-	9,091
1826	-	16,147

Including the number of commitments on summary conviction before magistrates, the increase would be still greater. But the returns in the Secretary of State's Office on this subject are not yet so complete as to induce your Committee to bring them before the attention of the House.

The increase of crime from 1806 to 1816 may perhaps be in part accounted for by the change from war to peace. From 1816 to 1826, however, not only has there been no such change, but peculiar attention has been paid to the subject of crime, both by official persons, by voluntary committees, and by individuals. The duties of the Secretary of State for the Home Department have been exercised with peculiar zeal and judgment; prisons have been improved, the defects of the law inquired into, education among the poor promoted.

In proceeding to inquire into the causes of the increase in the number of criminal commitments, your Committee, for the convenience of reducing into order an investigation so extensive, began by dividing the subject into three parts; 1st, The increase of Crime in the Agricultural Districts; 2d, The increase of Crime in the Manufacturing Districts; 3d, The increase of Crime

in the Metropolis. It is to the first part alone that they have hitherto directed their inquiries; nor have they been able to form a definite judgment even on this portion of the subject. They proceed, however, to lay before the House their observations, together with the substance of the evidence taken before them, referring to the evidence itself for more complete details.

The main cause of the increase of crime in the agricultural districts appears clearly to be the low rate of wages, and want of sufficient employment for the labourer. This evil has been greatly aggravated, although not altogether produced, by the abuse of the poor laws to a purpose for which they were never intended. During the high price of provisions, which occurred soon after the commencement of the war of 1793, the farmers, instead of raising the wages of labour in proportion to the increased value of subsistence, had recourse to the expedient of making up the deficiency out of the poor rate. While the war continued, the increasing demand for agricultural produce, and the abundance of the currency, concealed the evils with which this system was pregnant; but with the restoration of peace came large importations of foreign corn, a diminished currency, and a want of employment for the labourer. At the same time, while employment diminished, the new administration of the poor laws tended to increase the population. So that the farther this vicious system was carried, the greater and more difficult became the obstacles to a restoration of a healthy state. The fluctuations which have taken place since 1816, both with regard to the price of corn and the amount of the currency in circulation, have still further acted to prevent any improvement in the situation of the country.

It is not for your Committee to enter into any discussion on questions of economy. But they think it their duty to call the attention of the House to the degradation of the moral character of the labouring classes which attends the vicious system of supporting from the poor rates a number of young men, for whom the parish finds only partial employment. The wretchedness of their condition, the want of regular habits, and of the due subordination of the labourer to his employer, all tend greatly to the promotion of crime. Early marriages, contracted either to avoid going to prison on a charge of bastardy, or with a view of receiving a better allowance from the parish, increase the evil, and multiply a population for whom there is no certain employment, and a miserable subsistence; and in this situation they are too apt to believe they can improve their condition by offending against the laws.

The best remedy for such a state of things would undoubtedly be a great increase in the demand for labour. But whether that increase takes place or not, some amendment of the poor laws, which might prevent the prevailing abuses from being carried further, seems to be called for. At present, while in many counties the character of the labourer is daily becoming worse, and the means of his employer daily becoming less, there are other districts where the old and wholesome administration of the poor laws prevails, where the wages given are sufficient for the maintenance of the labourer, and the feeling of independence is not yet obliterated. It is surely desirable to prevent the infection of a vicious system from spreading to districts which it has not reached, and if possible to provide for its gradual diminution in those where it most prevails.

The evidence taken before the Committee shows undeniably that the great increase of preserves for game which has taken place of late years has tended materially to the increase of crime in particular districts; a pheasant or a hare is so easily taken, that a labourer only half employed, and ill fed, cannot resist the temptation. Men of a wild character likewise have within

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their reach both the means of gratifying their love of sport and the means of disposing of their booty. Some are of opinion that if the sale of game were allowed by law, poaching would not be so frequently resorted to. Whether such a speculation be well founded or no, it appears to be the duty of the Legislature to listen to every rational proposal on the subject of the game laws, and rather to hazard an experiment which may fail, than to allow the present evils to continue without any effort to counteract them.

When on this subject it deserves remark, that in the return of the commitments of prisoners for trial, none are to be found for offences against the game laws till the passing of the Act which subjects men to transportation for going armed at night in pursuit of game. This offence does not appear by the returns to have increased since the passing of the Act; the number committed in 1827 being 127, and in 1826, 126. But many of the petty larcenies in the agricultural counties are to be attributed to the vicious habits created by poaching.

With regard to prison discipline your Committee will make at present but two short remarks. The one is, that little good seems to be effected by confinement, unless accompanied by bodily labour. The other, that the construction and regulation of the tread-mill, the prison diet, and the hours to be employed in hard labour, ought to be made as nearly as possible uniform in every gaol in the kingdom.

The Committee do not at present feel themselves prepared to give any opinion on the evidence upon the very important subject of education.

With respect to the increased frequency of commitments under the malicious trespass Act, your Committee would observe, that although petty offences ought not to go altogether unpunished, there can be no greater evil than the abuse of the power of sending to prison for trifling trespasses: so far from preventing atrocious offences, your Committee is of opinion, that the mere fact of having been sent to prison is likely to deprive a man of one of the greatest moral restraints, the dread of being marked out as a criminal in the face of his country. To this evil is to be added the danger of associating with bad characters in prison, and the difficulty which sometimes occurs of finding employment after being discharged.

The Committee now proceed to furnish a summary of the evidence taken before them.

Mr. *Pym* has acted for nine years as a magistrate for the county of Cambridge. It appears from the returns presented to Parliament that the number of prisoners committed for trial in the county of Cambridge were, in 1805, 40; 1806, 26; 1814, 37; 1815, 64; 1816, 71; 1824, 110; 1825, 137; 1826, 142. Mr. Pym is of opinion, that since the gaol Act there have been more full returns sent to the office of the Secretary of State. He states, however, that there are more committals under the game laws, which he attributes to distress. The sum given by the parish to a single man who has no employment is 2*s.* 8*d.* per week; the wages in harvest are about 26*s.* a week, and beer. "In the summer season the single men can earn as much as would enable a man to support a family, generally speaking; they then squander that money, and in the winter, about the month of November, they generally apply to the overseer, or to the surveyor; and I have known many instances in many parishes, and it repeatedly comes before me, that single men would not let themselves as servants to the farmers, because if they should do so they would be under their control in the summer months, and they would rather take parish pay and take their chance through the winter, than control themselves during the summer months, when they could get a tolerable demand for labour, and constant employment."

He thinks the feeling of shame at receiving parochial relief is quite obliterated; the practice of the labourers subsisting on very small sums received from the parish without active employment, makes them discontented and dissatisfied with their condition. They think they are not sufficiently paid for their labour, and often hold out a threat that if they have not more they must do something which they would not like to do to obtain it.

In this situation, the labourers are often guilty of poaching or fowl stealing, but especially the former. They do not consider poaching to be a moral offence; there is a very general feeling, both amongst the farmers and amongst the labourers, that poaching is not a moral crime. The labourers begin with poaching, and that leads to every thing that is bad; they begin to set snares at ten years old. In the district where Mr. Pym resides, however, there is very little game, and more fowl stealing. In the gaol at Cambridge the prisoners work on the tread-mill nine hours a day; those who work on the tread-mill have three pounds of bread and a pint of small beer a-day allowed them. Those who are not put upon the tread-mill are allowed only a pound and a half of bread a day, and nothing else. Poachers who are not put on the tread-mill often apply to be employed on it for the increased allowance: idle men, on the other hand, have a greater dread of being sent to gaol than they formerly had.

The Reverend Dr. *Hunt* produced from an accurate return the total number of commitments to the gaol of Bedford. In 1802 they were 47; 1803, 88; 1805, 91; 1806, 120; 1815, 125; 1816, 141; 1825, 333; 1826, 348; and the year ending the 10th of Januaay 1827, 417. He calculates that from the year 1801 to 1827 the population of the county has increased to the amount of 40 per cent., while during the same period crime has increased ten-fold, or 900 per cent. It is to be remarked, however, that in the year following 1801, criminal commitments more than doubled, and have never since been much below that amount. It is likewise to be observed, that the prisoners from the town are now committed to the county gaol. On the other hand, the practice of sending vagrants to gaol, which of course swelled the returns, has been discontinued for the last few years.

Dr. Hunt states as the first cause of the increase of crime, the distress of the agricultural labourer. He says, that in some parishes the unmarried labourers are universally degraded to become roundsmen, or parish labourers on the gravel pits or on the roads; that such men receive from 3*s.* to 3*s.* 6*d.* a week; that he has known an instance of a young man, apparently 17 years of age, who received only 2*s.* a week. That they marry either to avoid going to prison on a charge of bastardy, or to obtain a better provision from the parish. That he has observed a great loss of the feeling of independence, scarcely any compunction at receiving parish relief, and a consequent degradation in the moral character of the labourer. He does not think any great improvement can take place among them till they can generally obtain regular employment, and fair wages. Those who are kept by the parish during the winter receive 5*s.* from the overseer, to enable them to seek their fortunes during hay-time and harvest. Those who get employed for harvest work receive about a pound a week. Irish labourers supply their place at havest, and the labourers of the parish return to be a burthen during the winter.

Men in this wretched condition are liable to yield to any temptation; they go to poaching as an offence of the smallest guilt. They generally appear hardly to consider poaching as a crime; many who are guilty of poaching would certainly have great reluctance to commit what they would consider a violation of private property. The great majority of persons committed for offences against the game laws are young unmarried labourers, though

some poachers are dissolute characters, who would remain such even if good wages were offered. The general opinion is, that game is not private property. They say, God has made the game of the land free, and left it free. The farmers, injured by the game, do not discourage this notion. When punished for offences against the game laws, they are apt to think they have not had a fair trial, when they have been convicted by strict preservers of game, who have frequently been sufferers. Poaching and commitment to prison brings them acquainted with dissolute characters, they proceed to petty thefts, and thus poaching tends in various ways to injure the moral feelings of the labourer.

Dr. Hunt is of opinion that the malicious trespass Act, and other Acts which give summary jurisdiction, have greatly increased the number of commitments. He is also of opinion that these commitments tend to the increase of crime; because a person once sent to prison gets into a course of criminal habits by associating with dissolute persons he meets there. With regard to prison discipline, he adds, "After long and attentive observation of prison discipline, and after a great deal of conversation with the very excellent chaplain of the prisons of the county of Bedford, I fear that very little improvement is ever made in the moral habits of a prisoner by even the best forms of prison discipline and instruction that have yet been devised." The classification is as perfect in the Bedford gaol as it can be made in a county of that extent. He afterwards states his opinion in these words: "I do not think that prison discipline has increased crime, but that sending to prison at all for a small crime rather tends to increase crime of every description; a man becomes a worse subject by being sent to prison; but he is not made so much worse now as formerly, in consequence of the improved discipline of prisons." He allows that the discipline of prisons is better than it ever was formerly, but thinks that punishment of this or any other kind has not a fair trial, because the prisoners have not been able to return to a state of regular employment at good wages.

With regard to education, Dr. Hunt states, that domestic discipline and parental control have not been so much attended to as formerly, arising, perhaps, from the great increase of schools, parents expecting from those schools more than they have been found to realize. The rapid education given in them is seldom accompanied with much moral instruction. Sometimes when he has reproached the parent of a child, who had shown early depravity, the parent has thrown the fault upon the school, saying, "I sent the child to a school where it ought to have been instructed better; I have nothing to reproach myself with." He has always observed that educated prisoners have been better behaved in proportion to the education they have received, particularly if moral discipline and instruction have accompained it; but no very permanent good results, unless parental control had also been exercised. He is of opinion that a very great improvement in the moral character of the poor might be effected by a more general diffusion of the system of infant schools.

Mr. *Orridge*, who has been governor of the gaol and house of correction at Bury St. Edmunds for very near thirty years, has given very valuable information to the Committee. The number of prisoners committed to the house of correction has been

1805 - 221	1815 - 387	1824 - 457
1806 - 192	1816 - 476	1825 - 439
1807 - 173	1817 - 430	1826 - 573

This witness states that the great increase in the number of commitments began in the year 1815, from the depression of agriculture and the great dearth of employment. Men are employed upon the roads at a very low

rate. They consider it a matter of right to be paid from the poor's-rate. When the unemployed poor are put by the parish to work on the roads, they become lazy; they know that whether they sit on the wheelbarrow all the day, or work hard, the result on Saturday night would be the same. The continuance of this practice has a bad moral effect. He remembers the time when a man considered himself disgraced by taking the allowance, but that feeling is now gone by, and the independent spirit has been all destroyed. Single men receive from 8*d.* to 10*d.* a day from the parish. Next to the want of employment, and the inadequacy of the price of labour, he attributes the increase of crime to the fact, that there is an abundant market for game, and nobody to compete in that market with the poacher. The quantity of game is greatly increased. When first he went to the gaol there were four packs of fox-hounds kept in the district; there are none now. Since the fox-hounds have been laid down, gentlemen have turned their attention to the preservation of game; and associations for this purpose pay for the services of those who give information that leads to a conviction. Until game became strictly preserved, and game associations formed, the number of commitments under the game laws was inconsiderable,—1810, 5; 1811, 4; 1812, 2; 1824, 60; 1825, 41; 1826, 71; 1822 (a year of great agricultural distress), 78. Some poachers commit offences of this kind from the love of sport; but the greater part of them are single men who do not receive adequate wages. He believes, that if game could be legally bought, the major part of the purchasers would not deal with the illegal traders in it: how far that would drive them into the farmer's pig and poultry yards he will not pretend to determine. While the first cause exists there will be misdemeanors of some character or other. He observes, however, that in the article of poaching, there is a general understanding amongst the lower orders of people that there is no moral crime in it; so that they go to it with a feeling that they are doing no moral wrong. "I believe there are many men go to poaching who would not steal, but I am afraid there are many men who, when they have been out and taken no game, would take poultry on their return, from their necessities. I have known instances where men have assured me after conviction, that they went out for the purpose of taking game, but having been disappointed, they have on their return taken fowls, or pigs, or something else. I think that it leads to a great deal of crime, and so far affects the morals of the people. I think there are poachers who would shudder at what they considered a felony; but from congregating with idle characters when they carry the game for sale, their minds get corrupted, and their moral feelings blunted."

This witness attributes a part of the increase in the number of commitments to the trespass Act, which gives a power to magistrates to commit and convict: he is likewise of opinion that the improved discipline of gaols induce many magistrates to commit, where formerly they would not have done it. There used to be a reprimand from the magistrate, and a power of flogging them at the stocks for minor offences. He thinks that the trespass Act has done great good, and has tended to diminish the number of atrocious crimes. The county of Suffolk, when he first knew it, had more crimes of atrocious character than it has at present. Formerly the gaol had but two rooms, one for debtors, and one for criminals of all denominations. The doors were opened in the morning and not shut till night; there was a constant intercourse with those abroad; there was no prohibition of liquor; there was a tap in the prison; the whole was a scene of riot. Now, all is order; the prisoners are kept on the tread-mill, and there is more dread of coming to gaol. The tread-mill, when administered mildly, is no effectual punishment; industry, regularity, and order, are inculcated by it, when properly applied.

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The men work between nine and ten hours a day, two thirds on, and one third off: he calculates they walk from forty-eight to fifty steps in a minute, each step seven inches apart. As regards juvenile offenders, a less term of imprisonment than that usually applied, with private whippings, is more effectual than longer terms. The sense of shame is not gone off with the short imprisonment, and combined with the pain of feeling, makes a lasting impression; but if they are kept for a long time, communicating, as they must do, however the gaol is managed, that tends to lessen the sense of shame, and, perhaps, to harden them. With respect to poaching, he observes, that the commitment for poaching is a commitment for nonpayment of money, and does not enforce hard labour. "We may employ them, but then the Act says in something not severe. Unless we can employ them so as to fatigue the body, the other is an amusement, and wears away the term of imprisonment; and in respect of moral instruction, where you do not fatigue the body by labour you do not affect the man's mind; and I think there is a defect in the game laws: if it is necessary to commit at all, it is necessary to attach hard labour to it. I think it would be extremely wholesome if the power of hard labour was given with respect to almost all convictions." As to any labour less severe than the tread-mill, he thinks it would be a sort of amusement, and would be rather desired by the prisoners than otherwise, to pass time away. Whenever in prison any sort of labour is introduced that requires art, they must be watched, or they will spoil it. "Prisoners can be employed in scarcely any thing but as mere machines; when they are to furnish any article of value, if they are put out of humour they will spoil it. I think, in that case, their inclinations must be consulted, rather than forced by discipline, which is wrong." As to solitary confinement, it operates on different individuals very differently. A sluggard would sleep the greater part of the time, whereas it would drive an active person nearly to madness. As to moral improvement, Mr. Orridge seems in some doubt. He observes that hypocrisy goes to a great extent in prison; that there are many whom he has never known properly till he had no power over them; that a complete scoundrel conceals himself. "I had thought that after thirty years I had a knowledge of criminal character, but I believe I shall die a novice at last." With respect to classification, judging from thirty years experience, he classes them by character and conduct, and not by crime; always informing the magistrate if he deviates much from the rule laid down in the Act of Parliament. He thinks the classification according to law does no good at all; a man of the most atrocious character may be sent to prison for a very slight offence. With respect to education, he has great doubt of the efficiency of the system of education as now conducted; he would give the preference to instruction rather than no instruction; but he thinks there wants to be a system of industry promoted with the instruction. He thinks the Sunday schools are very excellent things; the children are never employed on that day, and, as they will congregate, they had better congregate in Sunday schools. But where there is only a system of education without sowing the seeds of industry, it does not go far enough. The boys are at school all day, and do not learn habits of industry from their parents as they used to do. They afterwards, however, frequently forget what they have learnt. He remembers a charity school in the town where he resides, in which the woollen business was conducted; they went to labour by spinning, and on the alternate days they went to reading; there were very few commitments of persons educated in that school. He thinks, however, upon the whole, that if education had not been introduced, the increase of crime would have been greater than it now is.

Sir *Thomas Baring*, a member of the Committee, having acted as a magistrate for about twenty years, in the county of Hants, states, that offences

of an atrocious character have diminished, excepting horse and sheep-stealing; but petty offences increased to a very great degree. There have been frequently as many as fifty, sixty, and seventy prisoners in the house of correction for offences against the game laws; exclusive of offences against the game laws of greater magnitude. The Committee call the attention of the House to the following parts of the Examination of Sir Thomas Baring.

" Do you remember at what time the great increase of offences, with regard to the game, began?—I think for the last three or four years there has been a great increase.

Do you attribute that to the increase of distress, or the increase of game affording greater opportunity?—To both.

Have the people been generally in a worse condition during the last three or four years than they were before?—I think they certainly have; and whenever the price of agricultural produce is low, distress prevails amongst the agricultural labourers.

During times of distress, is poaching the most common offence?—I think it is almost the only offence to which distress drives the agricultural labouring population, except poultry stealing and wood stealing, which have prevailed to a great degree also.

Do you think that if there were no game, distress would have caused poultry stealing, and other offences of the like kind, to an equal amount?—I should think not, from the facility with which that offence may be committed as compared with other petty offences.

Has there been a great increase in the quantity of game preserved?—Very considerable, and confined to small woods, making it extremely easy for them to be taken.

To what species of game do you refer?—Game in the woods, hares and pheasants; but I can mention an instance where game is preserved to the highest degree almost of any property in that part of the country; and in consequence of some illiberal observations in one of the newspapers, that the proprietor had occasioned a number of persons to be committed for poaching, I had the curiosity to inquire what number of persons had been committed for poaching upon that property since the game was first preserved, for the last thirteen years, and in that period only three persons had been committed for poaching on that property.

To what do you attribute that?—In consequence of the strict watch and the number of persons employed to preserve the game.

Do you believe that if the labourers were paid adequate wages there would be much poaching?—I feel confident that there would not, and I can speak from personal experience. In the part of the country in which I reside, poaching existed to a considerable extent; from attention to the employment of the poor, and to their conduct also, I can say, that for the last two years no one instance of poaching has occurred, committed by the persons of that neighbourhood. It had been the custom of farmers in the winter months to reduce the price of labour from 9*s.* and 10*s.* to 7*s.* and 8*s.*; I prevailed upon them last year not to reduce the labour at all, but to keep it at 9*s.*, and I endeavoured to show them, and did succeed in persuading them, that they would not lose by the system; that they would have nearly as much to pay in parish rates; and the result has been that the people were well off; and in no instance has there been a complaint made to me, as a magistrate, from any party of the neighbourhood for any criminal offence committed; a circumstance which has not occurred in any former year.

Were all the labourers employed during the winter?—The whole of them were employed; whenever a person was found wanting employment, by agreement

agreement amongst the farmers, he is taken into the employment of some one of them, and not allowed to remain unemployed.

Do not you think that the present manner of administering the poor laws leads to an increase of the population beyond the means of employment?—I think the poor laws have been very much abused. If restricted to their original intention and purpose, they would be productive of the greatest benefit to the country; abused, they are productive of great evil. If they were confined simply to provide for the aged and infirm and impotent, and not applied, as they are now, to the payment of part of the wages to the labourers, they would be productive of good. There is also mixed up in what is termed poor rates that which does not belong to them, and which ought to be separated; and I think if persons of intelligence would look more accurately into the management of the poor, and to their comforts and conduct, the system of the poor laws would be a national benefit, and not an injury, both to the poor and to the rich.

What do you think is the objection felt to making that change on the part of the farmers generally?—I think, in the first instance, the desire to throw the burthen from themselves upon others, and also, in a great measure, from an indifference which prevails in their minds with respect to the moral character and conduct of the poor; that when they have to pay 9*s.* wages instead of 7*s.* they do not take into consideration that in the event of their paying 7*s.* they will very frequently have nearly as much to pay in the shape of their proportion to the poor's rates."

Should the Committee be renewed next year, some valuable information may be expected from Sir T. Baring on the subject of prison discipline.

The Committee refer the House to his evidence for the plan of a village shop which he has adopted, with great benefit to the labourer.

Sir James Graham, baronet, has acted for the last eight years as a magistrate for the county of Cumberland; until within the last eighteen months he has not observed any increase of crime; but since the commencement of distress among the hand-loom weavers in Carlisle and its vicinity, crime has increased in that particular district. In the county of Cumberland it is universally the custom to refuse any payment of wages out of the poor rates, the consequence is, that the rate of wages is higher in Cumberland than in almost any other agricultural county; a ploughman there receives at least 12*s.* a week; in many cases the cottagers have rooms rent free, and in no case does a field labourer receive less than 18*d.* a day, if he be a good workman. Mr. Sturges Bourne's Act has been carried almost universally into execution; select vestries assemble regularly according to the provisions of that Act; neither rent nor wages are paid out of the poor rates; except in special cases relief is refused; and the poor rates, notwithstanding the increase of manufacturing poverty, have diminished even in the manufacturing districts since 1819. "In the parishes with which I am more particularly connected, as being the principal proprietor within them, upon the first passing of Mr. Sturges Bourne's Act, I availed myself, with the concurrence of the vestry, of a provision contained in it for raising money for the purpose of enlarging the poor-house. At that time the parishes to which I allude were in the habit of paying rents out of the poor rate; they became convinced that this was an unwise and prodigal expenditure, and though the outlay in enlarging the workhouse was considerable, amounting to somewhat more than 400*l.*, at least half of one year's rate, yet when the workhouse was finished they were enabled at once to refuse relief to all persons unwilling to go there, and the number of applicants diminished so much, that in the course of two years the parish was reimbursed for the whole outlay, and at the present moment, as I mentioned

before, no rents are paid out of the poor rates, and no persons are relieved, except under very special circumstances, at their own houses.

The habits of the agricultural labourers are moral, industrious, and economical. There still exists a great spirit of independence, and the utmost want and distress are often endured with patience, in preference to an application to the vestry. In Cumberland, however, both the farmers and agricultural labourers are content with very mean and scanty food; the sustenance of the labourer consists almost intirely of milk, potatoes, and oatmeal; he very rarely eats meat. The situation of the farmer is very little better or more luxurious. Upon the whole, neither the farmer nor the agricultural labourer is in a worse condition than he was 30 years ago. Sir James Graham is of opinion, "that the power given by Mr. Sturges Bourne's Act of enlarging workhouses, and of making them capable of containing all persons to whom the parish is bound to give relief, and a steady adherence to the principle of never giving it out of the workhouses, coupled with such regulations of the workhouse itself as are now consistent with the law of the land, (the utility of which is exemplified in the management of the workhouse at Liverpool,) would supply the means of checking the natural improvidence of the labourer, and his disposition to early marriage; he would fear to make himself dependent on parish relief; he would look at the workhouse with dread, not as at present, almost with indifference; and by the increased exertions of the labouring classes themselves, by greater prudence on their part, formed by a wiser administration of the existing law, I am disposed to think that the poor rates might be reduced throughout England; at all events that their rapid inroads might be arrested." The select vestries exercise the power vested in them with sound discretion; character is almost invariably an ingredient in their decisions. The most fertile source of crime is the preservation of game: the lower orders, in common with the highest, have a natural love of the sport, even stimulated, perhaps, by the risks attendant on its gratification; the tameness of the pheasants, which were formerly almost unknown in this neighbourhood, and which are now seen constantly in the fields close to the road, is a great temptation to the lower orders to take them. "Persons going armed at night on a marauding excursion seldom confine their depredations to the taking of game, and many cases of petty thefts, such as robbing of hen-roosts and outhouses, have been brought before me, which I have been able clearly to trace to persons going out at night with the intention of poaching. On the whole, I should think poaching the cause, rather than the consequence of criminal habits." When an unemployed labourer applies to the parish for relief, he is usually sent to break stones upon the turnpike-road, which work is paid by the square yard of stone broken; he is fed and clothed at the expense of the parish, his earnings are carried to the account of the parish; if he does not break the average quantity of stones, the keeper of the workhouse brings the pauper before a magistrate, who has it in his power to send him to the house of correction.

In a gaol and house of correction at Carlisle the tread-mill has been at work about eighteen months. Sir James Graham cannot perceive that the work appears very irksome to the prisoners. The severity of the tread-mill at Carlisle is about the average severity; the severity of this punishment very much depends upon the height of the steps and the frequency of the rotation of the wheel. These vary in almost every gaol. "I have always been of opinion, that by legislative interposition the degree of labour ought to be regulated and made the same in every gaol and house of correction throughout England; because it does appear to me absurd, that where the crime is the same, and the punishment is intended also to be the same, from the acci-

dental circumstance of the hard labour in one gaol being more severe than in another, the punishment ordained as uniform should vary to any degree.

Is the allowance increased for the prisoners who are put upon the tread-mill?—The only difference is that they are allowed beer, which is denied to other prisoners; and as I have mentioned the disparity of punishment arising from the circumstance of the tread-mill in one gaol being more severe than in another, I perhaps may be allowed to express an opinion, that a difference in the diet, which in one gaol is much more spare than in another, partakes of the same inconvenience I have alluded to with respect to the difference of hard labour, not contemplated by the law.

Have you made any observation generally on the effect of prison discipline in the gaol of Carlisle?—I have; and the result of that observation, coupled with inquiries from persons who have had great experience, such as Mr. Orridge the gaoler at Bury, and his son, who is the gaoler at Carlisle, led me to think that in very few cases is a gaol ever a place of reform; we have reason to know that the best conducted prisoners are those who are anxious to obtain a mitigation of their sentence by their good conduct within the walls of the prison; and in many cases a portion of their sentence has been remitted in consequence of such good conduct, and within a very short period those very individuals have committed fresh crimes of a deeper die.

So that you are of opinion that, generally speaking, the good conduct of prisoners is not to be attributed to any real reformation in their character?—Most decidedly.

With respect to the reformation of offenders in prison, you stated that your views upon that subject were much less sanguine than they had been; do you attribute their non-reformation to their early character, or to their always associating in prison with criminals?—I must ascribe the cause of their not being reformed to the deep taint of their character before they are sent to prison; because in the gaol of Carlisle, classification is carried even further than the late prison Act directs; the prisoners are rarely left alone, they are constantly under the eye of the governor and the watchmen, who attend them when on the tread-mill; there they are not allowed even to speak to each other; a large portion of the twenty-four hours is spent by each prisoner alone in his own cell, and the contamination arising from intercourse is almost entirely prevented; consequently, I can only arrive at the conclusion, that the non-reformation of prisoners is owing to a taint of the character before they are sent to prison.

Do you think that prison discipline can ever effect much more than has been effected in the best regulated prisons in this country?—I think it impossible to carry wholesome discipline further than it is now carried in the best-regulated gaols in England, with the exception, however, of the two suggestions I have made, relative to equalizing the punishment of the tread-mill, and assimilating the diet in every gaol throughout England."

Your Committee earnestly hope that the House will early in the ensuing Session direct the inquiries on this subject to be resumed.

22 June 1827.

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MINUTES OF EVIDENCE.

Mercurii, 30° die Maii 1827.

Lord JOHN RUSSELL in the Chair.

Francis Pym junior, Esquire, called in and examined.

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WHERE do you reside?—At Longstowe, in Cambridgeshire.

Have you acted as a magistrate in the county of Cambridge?—Yes, about nine years.

The Committee observe, on looking at the returns of Criminal Commitments, that the number for Cambridgeshire in the years 1810, 1811, and 1812 respectively, was 19, 21, and 34. In the years 1824, 1825, and 1826 respectively, they were 110, 137, and 142; have you any means of accounting for that increase?—The first-mentioned periods I did not reside in the county, and therefore I cannot state positively how those returns were made; but I think since the Gaol Act passed much more full returns have been required and sent to the Secretary of State's office.

What do you mean by full returns?—Of the number of commitments.

Would there be any returns sent that would not contain the whole number of commitments?—The clerk of the peace always makes the return after the sessions, and did before that period, of the number of prisoners tried; and now he makes a return from the gaol once a year, as directed by the Gaol Act, a full return of all the prisoners who are committed for trial and under conviction.

What was the year of the passing of the Gaol Act?—1823 and 1824; there was an amended Act the second of those years. I can explain one apparent addition to the number for Cambridgeshire; for the last two or three years the town prisoners have been committed to the county gaol, in consequence of the insecure state of their own gaol, and the great increase of crime which has certainly taken place in the town of Cambridge.

When did those commitments of the town prisoners to the county gaol first take place?—It has been so at different times for the last five years.

And only five years?—And only five years. To a certain extent crime has increased in the town; perhaps I can state some reasons for it.

Will you state the reasons?—There has been a great increase in the population of the town.

Adventitious or natural?—Adventitious in a great measure; a great deal of work going on; new buildings which have brought hundreds of workmen from a distance. The police of the town is very defective; the town gaol is very bad; they have now got a bill for a new one in progress through Parliament. These causes, in my opinion, account for some increase of crime in the town.

Is the increase in the town in greater proportion than the population?—I am not quite able to answer that from not having the returns by me.

What is the adventitious increase owing to?—The University has increased very much since the peace, the numbers who have come to the University; and the number of vagrants that come into the town of Cambridge, from all parts of the kingdom, has increased with that: they get hold of the names of young men, their residence and their friends, and they make a sort of harvest of coming there.

Are the workmen who have been employed in the buildings in any great proportion Irish?—I am not aware of that; they are not Cambridgeshire people generally, I think; but I am not aware whether they are Irish or not.

Do many come from the Fens?—They come from the Fens, and some from London.

Do you look upon the inhabitants of the Fens as rather a disorderly race?—Yes,

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they are; but I do not live in that part of the county, and I know not much about them; the Isle of Ely is a separate jurisdiction from Cambridgeshire.

A great proportion of the labourers in the Fens during harvest time are Irish?—Yes, they are.

Will you state your opinion as to the increase of the number of commitments for the county?—I think in the last seven years there has not been any great increase.

The Committee observe that the number for 1820 is 88, and the number for 1826 is 142?—Then there appears certainly to be an increase. I am speaking a good deal now from memory, because not having been at home when the letter from the Committee arrived, I have not had any opportunity to refer to the documents in the gaol; certainly we have not so many now in the gaol as at the same period almost in any year since I have resided in the county.

Are you one of the visiting magistrates of the gaol?—Yes.

Have you observed that any particular class of crime has increased or diminished in the course of your experience?—There are more commitments under the game laws, but not a great many.

Do you observe the smaller species of crimes increase in a greater proportion than the large ones?—There are more brought to trial, I believe.

Have the magistrates of the county of Cambridge increased lately?—Not much.

Do you observe a greater inclination in persons to bring small offences before the magistrates than formerly?—Not in my own neighbourhood at all; we have very few magistrates resident in the county.

Has there been any increase of commitments in consequence of the several new enactments and laws which have taken place lately; the Malicious Trespass Bill and others?—Under the Malicious Trespass Act there have been a great many commitments; but they are not for trial, they are convictions: it makes a great difference whether the return includes convictions; I apprehend it does not.

To what cause do you attribute the increase of committals on the game laws?—One cause I consider the want of employment.

That is distress?—Distress and low wages.

Do you believe that they go in pursuit of game to satisfy their hunger, or to sell it?—In general they sell it.

Is not the quantity of game exceedingly increased?—Not in Cambridgeshire. I also act as a magistrate for Bedfordshire, where crime has increased to a great extent. In Bedfordshire there are, throughout the county, almost generally, very large preserves of game, and there is a great deal of game. In Cambridgeshire, except in the neighbourhood of Newmarket, there is very little. I have acted as a magistrate in Cambridgeshire for above eight years, and in the course of that time acting for nearly forty parishes, and now for more; I have not had above ten cases under the game laws brought before me.

The Committee understood you to-day, in the earlier part of your evidence, that the committals on the game laws have increased?—Yes, they have; but that is principally confined to the neighbourhood of Newmarket, where there are great preserves of hares for coursing. It appears from the returns, that crime has increased very much in Bedfordshire, where there is an immense quantity of game, which certainly is on the increase; and the commitments under the game laws and the convictions have increased much more than they have in Cambridgeshire.

The Committee may distinctly understand you to say, wherever there are preserves you consider there is a great increase of poaching?—That is my opinion, from the experience I have had in those two counties.

Have you yourself acted as a magistrare for Bedfordshire?—Yes, for six years; I do not reside much in the county; it is only occasionally.

What is the comparative state of wages in the two counties?—They are nearly the same.

And what is the general rate of wages?—I should say the average rate of wages at this time in both counties is 9*s*. a week, for those who can get employment for themselves.

Does the parish add any thing to that?—In some cases where there are large families.

Do they find the rent of their cottages out of that sum, or are the cottages generally found them by their employers?—I believe in Cambridgeshire they generally pay their own rents.

You have stated that the increase of committals under the game laws was partly

partly owing to distress; the Committee suppose you allude to the unemployed labourers?—Yes, certainly.

Are there many of that class who are unable to obtain employment?—In all the large parishes a great many.

Do you think that the men usually committed under the game laws would work if they had the offer?—Not in many cases.

That it is rather their dislike to work than their inability of getting work?—In many cases.

Do you understand that to be general among the agricultural labourers?—Among single men.

To what cause do you attribute that?—In the summer season these single men can earn as much as would enable a man to support a family, generally speaking; they then squander that money: and in the winter, about the month of November, they generally apply to the overseer and to the surveyor; and I have known many instances in many parishes, and it repeatedly comes before me, that single men would not let themselves as servants to the farmers, because if they should do so they would be under their control in the summer months, and they would rather take parish pay and take their chance through the winter, than control themselves during the summer months when they could get a tolerable demand for labour, and constant employment.

Do you conceive that to apply to labourers who can get 9*s*. a week?—I think I stated before, that there was not full employ at the rate of 9*s*. per week during the winter months.

What increase of wages takes place during the hay and corn harvests?—In hay time they are advanced to about 12*s*. a week, and beer; and in harvest to about 20*s*. a week, and beer.

How long does that increase of wages generally last?—In hay time, upon an average, generally three weeks; and in harvest four or five.

Have you known men refuse wages as farm servants which would be sufficient for them to subsist upon for the whole of the year?—Repeatedly, and leave their places upon the most trifling occasions, which induces the master to complain to a magistrate constantly, because they think having been kept through the winter months they can then do better for themselves in the summer. The custom of hiring yearly servants is not so common as it was, as it is not wished to give settlements; they do it in a way to avoid that, by hiring for a period less than a year; generally speaking, the farmers can do that and board them cheaper than they can get weekly servants, and they prefer doing it.

Are you speaking of persons of good character who would act in the way you describe?—I should not think their doing it was *primâ facie* evidence of good character. I am afraid the habit is getting so general from the dependence on the parish and other circumstances, that it may be considered in the district I reside in as a general feeling amongst them.

Do such men always obtain relief on application to the overseer?—Yes, in some shape or other.

What, single men?—Single men; except in one case, and that is where it is known that work has been offered to them at a fair price, and it has been refused.

Have you known many cases of refusal to give relief upon that ground?—Yes, several.

Relief is never granted but on summons before a magistrate, is it?—Yes, constantly.

To single men?—Yes, relief in the shape of work from the parish, by the surveyor or overseer. There are various expedients adopted by them; and the only way in which the magistrate knows any thing about it is, by the pauper, generally speaking, being dissatisfied, and applying to a magistrate for more allowance, or if he is refused relief altogether.

Do you think the feeling of shame at receiving parochial relief is quite obliterated?—Yes, very much so indeed.

Are there any rates fixed by the magistrates at which the poor are relieved?—There was what was called a bread allowance fixed some years ago, and it was intended by those who proposed it to be the lowest scale of allowance; the overseers considered it as the highest, and acted according to it without the interference of the magistrates.

Can you state what is the usual allowance to a single man, and a man and his wife and children?—To a single man, this is what was fixed at that period; to a

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single man the price of four quartern loaves for a week; to a man and his wife I think the price of six quartern loaves; with one child there is a trifling addition to that; I do not exactly remember what that is; and where there are many children the price of two quartern loaves a-head through the family.

Do you include children above ten years?—If they are at home they are provided for by the families.

Have you any saving banks?—There is one at Cambridge for the county.

Do you think the labourers put any money in there?—Very few; the great proportion are little trades-people in the town and gentlemen's servants.

Is there no increase of deposits after the harvest time?—No, I think not; there is a good deal of trouble since the last Act in making deposits; there is additional trouble which has rather acted as a check to it.

Is not the feeling very general amongst the labourers, that if they put any money in the saving bank the overseers would directly know it, and never give them parochial relief?—There is a prejudice against them.

Arising from what?—That I hardly know; but I have considered it so hopeless attempting to recommend them to put into the saving bank, that, except in the case of single men, I have hardly ever attempted it; and I do not know one instance where, amongst the labourers, single men, I have succeeded; with servants I have, but not with labourers.

Supposing a young man, with three children, was to apply to you, as a magistrate, for relief, saying, perhaps, that he only got 8*s.* a week, should you grant it him?—In the first place I should send for the overseer; I should then inquire, when they were both present, into all the circumstances of that man's situation, as far as they might be known; and if I considered that what he had was not sufficient, I should of course order something in addition.

But what is the usual practice?—As to making orders.

As to the number of children that would entitle young married people to an allowance from the parish?—It depends so much on their wages; I think it is very much alike in the labouring agricultural counties.

What is given by the parish to a single man who applies for relief who has no employ?—About 2*s.* 8*d.* per week.

Under those circumstances does he refuse employment, if he can get it from a farmer?—Yes, often; I could give a proof of that in my own immediate neighbourhood. A gentleman has lately purchased a very large estate there, and he has been employing this winter nearly 50 people, and I know in the two adjoining parishes, within three miles of him, where the rates are the highest, and the poor most distressed, they won't walk those three miles to get work.

Are the men who subsist upon 2*s.* 8*d.* left nearly in idleness, or are they actively employed by the parish?—Not actively employed.

Do they do nothing?—They are employed, but not actively employed; picking stones off the land, that is one mode.

How do they subsist on 2*s.* 8*d.* per week; have they any other means?—Not that I am aware of.

Do you not consider that the practice of the labourers subsisting on very small sums without active employment, and the whole of their subsistence received from the parish, affects their general moral character?—Certainly; it makes them discontented, which one is not surprised at, and dissatisfied with their condition; it makes them idle, because they think they are not sufficiently paid for their labour, and they often hold out a threat, that if they have not more they must do something which they would not like to do to obtain it.

They say that?—They say that repeatedly to me and many other magistrates. With regard to the parish allowance, I say, as a magistrate, I consider it too little, and I never pay any attention to it when I find a case that requires attention; but it is very difficult for magistrates to know what to do.

Then do you consider men in that situation are very liable to commit petty offences?—Yes, certainly.

Do you conceive the system of paying wages out of the poor's rate has increased to such a degree of late as to account for a rapid increase of crime, or has the same system been at work in the same degree for many years?—The same system has been at work for many years, and I should say it has rather received a check lately, because the attention of the magistrates has been drawn to it; they are sensible of

the bad effects of it, and that it has been a mischievous mode of proceeding; but they have great difficulty in knowing what to substitute in its place.

Has or not the insubordination of servants towards their masters increased?—In what period.

Within the last three or four years?—I do not see much difference where I live, in the last three or four years, to what it was before,—much about the same.

Do you find that there is any greater degree of insubordination of the servants towards their masters?—Not in those who will enter into the engagement of master and servant, as servants, but they generally dislike it; single men will not confine themselves to a place by the year, for the reason I before stated.

Are farming servants less frequently lodged in farmers houses than before?—They have been less generally so than they used to be twenty years ago, within the last few years; but they are generally lodged in the houses in large farms.

In large farms is a considerable proportion of the labourers employed upon the farm, servants hired for a length of time, or only hired by the week, or by the piece?—The horse-keepers, the ploughmen and shepherds, are generally hired for a longer period; those who thrash and do the out-door piece work are for shorter periods.

Have you remarked any great increase of crime either this year or last?—No, I have not, except as I stated in the town of Cambridge, not in the county.

And yet the want of employment seems to have been greater during the last two years?—It has been very great for the last five or six years.

It is not so great as it was in 1822?—In some parishes it has this winter nearly, but I should say not quite; certainly last year or the year before it was not so great as it has been this year.

Is there less dread of going to gaol among the labouring classes now than there used to be?—I do not think there is much difference since the time I have acted; it is not many years.

Is there not a much greater dread since the introduction of the tread-mill?—I do not think much greater; the idle people don't like being sent to gaol so much as they did.

How many hours do the prisoners in the gaol at Cambridge work upon the tread-mill of a day?—Nearly 10 hours.

That is with intervals?—Yes.

Winter and summer?—Yes.

Each prisoner?—I should deduct the time they rest, which, I believe, is a fourth part of the time.

You do not mean that any prisoner is six hours on the tread-mill any day?—Yes, nine hours; they are on for twenty minutes and off five, I believe. The time the whole is going is from nine to ten hours.

Including dinner?—Not including dinner.

Ten hours besides the dinner?—I think so.

And the whole number are on at once, except the slight relays?—One third or one fourth off, and three fourths on.

A general turn out at the same time in the morning?—Yes; our tread-mill is divided into two compartments, the one will occupy about twenty, and the other twelve or fourteen.

Persons committed under the Game Act are not put on the tread-mill?—No, there was a direction from Mr. Peel not to do it.

Is the time of working on the tread-mill proportionate to the offence?—No; if they are sentenced to the tread-mill it is the same to all, if their health permit it.

Are those who are put on the tread-mill, and those who are not, fed the same?—No; those who are not employed are allowed a pound and a half of bread a-day, nothing else; those who are employed have three pounds of bread and a pint of small beer.

Have you ever asked the prisoners which they would prefer, or have you given them the offer of working on the tread-mill, and the extra food, or continuing them on the short allowance without extra food?—They apply to be employed on the tread-mill; we always employ those who are sentenced—all we have a power to do—many who are not. Many poachers, since we have been ordered to discontinue it, have applied to be employed for the increased allowance.

Are they allowed to talk on the tread-mill?—They are not allowed; but on the whole they are very quiet; of course when the magistrates go in there is greater strictness observed; lately the gaoler appointed one to keep the others in better

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order; they are very orderly, and that is one great advantage derived from it, it creates better habits.

You do not put females on it?—No.

As your tread-mill is only divided into two divisions, you must mix those in different wards in the work?—Yes.

Do you apprehend that there can be any communication between them which is injurious during the time they are at the tread-mill?—I think there might be.

Is your tread-mill constructed so as to hoodwink each from the other?—No.

But practically you do not find any great inconvenience from this communication?—No, not at all; they are very quiet when they are at work.

Have you observed the subsequent conduct of men who have been on the tread-mill, after they have been discharged from gaol?—In some instances.

What observation have you made respecting them?—They are not so frequently re-committed as they were before the tread-mill.

You have positive evidence of that?—Oh, certainly; I could have brought positive evidence of it from the gaoler; he has told me so repeatedly; for the first three years, I think, we had not one re-committed.

How do you reconcile those facts of their wishing to be put on the tread-mill, and their anxiety not to be re-committed to gaol?—They are not so likely to become worse in prison, during their confinement in prison, when they are employed, as before.

Has the allowance of those who do not work on the tread-mill been diminished since you have had the tread-mill?—No, that was the general allowance before, and I think it is the usual allowance.

Is it not generally understood in the regulations which are issued to all gaols; is it not understood that prisoners sentenced for hard labour are to have a different allowance of food from the others?—The regulation in our gaol is, that they are to have double the allowance of bread.

And also meat?—No meat allowed; nothing but bread in our gaol.

Nothing but bread?—Nothing but bread and a pint of small beer. We thought cooking of any kind was objectionable if it could be avoided.

Are they healthful under that?—Their health is perfectly good, and it was done under the directions of the surgeon and under his advice; they are all gaining in weight and health.

What sort of bread; is it fine bread?—Two pounds of fine bread, and one pound of coarse, which is manufactured; the flour is ground in the gaol.

No broth?—No, nothing but bread; and the prisoners are not allowed to have any thing of their own. I believe, as a great favour, the gaoler allows them to have a few onions or something like that; and on a Sunday, when they have time, they generally make a sort of sop of the bread.

Do you allow them to work at making shoes, or any thing of that kind?—No; making straw hats was attempted at one time, but since the tread-mill nothing else has been carried on; that is the only employment we have, except pumping water for the gaol.

Would you not allow them to employ themselves if they could?—Yes, if it could be done without introducing tools or any thing of that kind.

Straw hats for instance?—Yes; and sometimes there are boys employed in sorting corn; sometimes there are samples that are mixed; sometimes peas get among wheat or grain, then these boys are employed.

Would it not be beneficial to allow them to employ themselves at any thing; they could make rope or any thing?—Yes, if it could be effected.

Has the population greatly increased in the parishes that have fallen within your observation for the few last years?—I believe so; I believe, however, the last Population Returns are more corrrect than the former ones. It has gone on increasing I think.

The population has increased within your observation, without any corresponding increase of means of employment?—Yes, I think so, certainly.

Have there been many inclosures in the county within a few years past?—Not many in the last ten years, but a great many in the preceding twenty.

Do the bad characters come most from the open or the inclosed districts of the county?—I do not think there is much difference; there is less employment in the winter in an open-field parish than an inclosed one, because the farmers are obliged all to go on the same system; there is no ditching, no draining or hedging, or any thing

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thing of that kind, and very little improvement is carried on in an open-field parish generally, and very little employment during the winter months, except thrashing.

Is there a great increase of crime in the winter months, increase of commitments, independent of the game laws?—We generally consider the Christmas session as the heaviest; the Epiphany session in general; and believe I can explain one cause of the increase in the winter, one very common crime in Cambridge is stealing poultry, particularly turkeys; there are a great many turkeys kept in the open-field parishes, and when they are getting fat for the London market, near Christmas, there are a great many of them stolen; poor people get liberty to turn them out after harvest, and in most parishes there are a great many.

The increase in winter is not to a very great extent?—Yes.

Fowl-stealing is about the commonest offence?—Yes, and stealing corn.

In the inclosures in Cambridge has the land been to any large proportion laid down in pasture?—No, not extensively.

Then in the inclosures the employment of the people has rather increased than diminished?—Yes.

Do you think poaching or fowl-stealing is the commonest offence?—We have very little game just about us, and therefore there is more fowl-stealing; the two go together very much.

Could you say at all which has the precedence in point of time, the poacher or the fowl-stealer?—The poacher has the precedence; they begin by poaching, they begin to set snares at ten years old.

In Bedfordshire, where you think there is a good deal of game, would you there say poaching or fowl-stealing is the commonest?—Poaching decidedly.

Have you remarked or have you heard that there prevails greater severity in the administration of magisterial justice than there used to be some years ago?—I am not aware that it is the case; I have only acted as a magistrate for eight or nine years, and I did not pay much attention to the subject before that, and I can scarcely answer the question.

Pray is pond-robbing a common offence?—Stealing fish?

Yes?—No, it is not easily got at; I think I should say the two offences most common in Cambridgeshire are fowl-stealing and stealing corn.

Can you give the Committee any information as to whether, either in Bedfordshire or in Cambridgeshire, the labourers remain longer in the same place in the open-field parishes or in the inclosed parishes?—No, I cannot say upon comparison; I am not aware.

Do you imagine the fowl-stealers ever have the slightest difficulty in getting rid of their plunder?—No, none whatever.

Who purchases of them, pray?—A great deal is sold in the open market at Cambridge; a great deal of the game is sold to the cooks of the colleges. The cook of St. John's last year I convicted in the penalty of 55*l.*

Do you think the stolen fowls form any large proportion of the supply of the Cambridge market?—No, I should think not to the regular traders; there is a very large market, and very well supplied; a public open market. The other day a small carrier was detected in it, and he had been in the habit of doing it for eight years.

Every body, I take it, knows when he is buying a stolen fowl?—They have one means of knowing: when fowls are killed in the regular way they are generally killed fasting, and when they are stolen they are killed often with their crops full.

Do you find that respectable poulterers buy stolen fowls?—I have not had any particular means of judging of that; a great many are sent up to London.

Do you think a man, who has never committed any offence against the laws, has as little scruple in stealing a fowl as in poaching?—No, I think not; they do not consider poaching to be a moral offence.

Do you think that a great abundance of game is a temptation to commit offences against the laws?—Certainly; they begin with poaching, and that leads to every thing that is bad.

Do you think the farmers encourage poaching, with the notion that it is not a moral crime?—I think the feeling is very general that poaching is not a moral crime, both amongst the farmers and the labourers; but I do not know that I should say the farmer encouraged poaching.

You stated corn-stealing to be a very common offence?—Yes.

In what way is it generally carried off; from barns or fields?—From barns; taking it from the heap when it is thrashed.

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Is it generally for sale, or for the supply of themselves and their familes, that these offences are committed?—Generally for sale.

With regard to corn?—Yes, I think so; there are so many little carriers that would take from them any thing of that sort that they could obtain.

It is disposed of to these carriers, and by them taken to market?—By them taken to the market.

Does not Mr. Pym connect this notion on the part of the people, that the destruction of game is not a moral offence, with the fact that game is not property?—They do not consider it as property.

Supposing by an alteration of the law game was to be made private property, do you not think in that case poaching would be looked on more as a moral offence than at present?—It would in time.

Do you think if game was saleable, that individuals would not poach precisely the same as they now do, bearing in mind that the market would be more open?—I hardly know; it is a matter of opinion.

Do you think now that the labourer has any more reluctance to steal a fowl than a pheasant when it comes in his way?—Yes; a man who has never done it before, certainly.

Don't you consider that the reasons for that are, that the chances of detection are less in the one case than the other?—No, I do not know that that is so; they attach the idea of property to poultry, which they do not to game; but the man who goes out for poaching will not return empty, and he generally takes poultry if he cannot get game.

Does he not consider the one as interfering with his neighbour's property, and the other as interfering with his neighbour's sport?—Yes, they consider they have as good a right to the game as any one else.

Do you think it is probable, or even possible, that the crime of poaching should diminish, as long as the market for game is open to no other mode of supply?—It is not likely to diminish.

You do not think it possible under the present circumstances?—I do not think it possible under the heaviest punishment you can inflict.

While there is such a quantity of game, and that game so easily to be got at, do you not think that poaching would continue, whether it was made saleable or not?—I think it would be worth the trial; it cannot be worse than it is.

Would not the facilities of disposing of the game so stolen be considerably increased?—That must depend on the regulations that are made to make it saleable. If they make it saleable without any regulations, there would be an increased facility to the poacher; if under the regulations of a licence, or something of that sort, then respectable people would not purchase of the poacher if they could get it in a fair way.

And yet nobody ever finds any difficulty of getting rid of stolen poultry, as far as you know?—Oh! yes; I think a man who is not in the habits of it will often steal a fowl and eat it; but then they get in a regular train, and get connected with the carriers, and those that attend a regular market.

Do you not think that the multiplication of carriers has very materially tended to increase the facility of committing crimes?—Yes; I think it has within that distance of London where I reside.

Do you think there would be any means of regulating these carriers so as to diminish that evil?—It would be very difficult, I think.

Are they now licensed?—No, I believe not; I think there is no licence; the stage-coaches are licensed, but not carts.

Do you not consider the inducement to poaching has increased in proportion as the price of game is raised in the market?—Oh! certainly.

Do you consider that the legalizing the sale of game would have a tendency to lower the price, and so far to induce a diminution of poaching?—Yes, I think so.

Have there been very great revolutions in agricultural property in the county of Cambridge within a few years?—Very great.

So that many are reduced from the situation of yeomen to that of labourers?—Many are reduced from the situation of farmers to that of labourers. In one parish, in particular, which is part of the property belonging to Downing College, there are three if not more farmers reduced to the situation of labourers, and have received parish relief.

Do you attribute any thing of the increase of crime to the results of those revolu-

tions in property?—The farmers means have generally been diminished for employing labourers, and the want of employment has certainly increased crime.

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Is there not a much greater number of labouring men out of employment than there was three years ago?—I think more than there were three years ago.

Did it ever happen to you as a magistrate before the last year, or the present year, to have boys of 16 or 17 years of age brought before you either by their parents or others for relief?—Oh! yes, very often.

Previous to this?—Ever since I have acted as a magistrate.

But in the same degree as now?—I should say in the years 1819, 1820, and 1821.

But not since then?—Not so much in the two years preceding this as there has been this year. When corn was at a better price there was more employment.

Do you conceive in general, when the price of corn is what is called remunerative, that the agricultural labourer is better or worse off?—Better off; because he not only gets employment for himself, but in that case he gets employment for his family.

Do you not conceive that the fluctuations of price are very ruinous to the labourer?—They are very injurious to the labourer, and to the farmer too.

Extract of a Letter from Francis Pym junior, Esq. to the Chairman; dated Longstowe Hall, Caxton, 13th June 1827.

Extract of a Letter from Francis Pym junior, Esq. to the Chairman.

" I have made the enquiries I proposed at our County Gaol, and have ascertained that the returns of commitments for trial in the earlier years to which you referred are quite correct: they include all *felons* committed for trial to the assizes and sessions. From the journals it appears that the great increase of commitments commenced about twelve years ago; that in the last seven they have not varied materially. It would appear from the period at which the increase began, that some part of it may be attributed to the change from war to peace, to the number of men thrown back upon the country, and from there not being the same opportunities of enlisting for those who had lost their characters, and who often got away and entered the army, and thus escaped being sent to gaol.

" This, however, is only one amongst many causes, and we must look to more general ones to account for the great increase of crime which has certainly taken place. Some part, I think, may be attributed to the advanced state of society and the increase of luxury consequent upon a great addition of capital by the extended use of paper money, prosperous commerce, the speculations which these have produced, and the reverses which in the last few years have taken place.

" In agricultural counties a great deal may be ascribed to the very injurious effects of the poor laws. In the years of scarcity (I believe 1799 and 1800) few poor families escaped the degradation of receiving parish relief; and during the last ten years, from the want of employment occasioned by the depression of all agricultural productions, their operation has become more extended. The effect of this has been to destroy that feeling of independence which was formerly considered so characteristic of the British peasant; and as the clamorous and discontented are generally most successful in their applications to the overseer for relief, it often happens that the industrious, who under circumstances of difficulty are occasionally obliged to apply to the overseer, meet with very little attention. The impression left upon their minds, and what I have often heard them express, is, 'It is of no use to exert ourselves, for when we are compelled to apply for relief, we are not so well treated as the idle, the improvident, and the drunken.'

" The bastardy laws form a branch of this subject most injurious to the morals of the lower classes. The object of them has been to indemnify parishes; but they are made responsible for the support of the children, and often fail to recover from the reputed fathers. The effect of this upon the female character is very bad; and the mothers of bastard children are better supported during their lying-in than married women, and often make a profit of their bastard children — thus all sense of shame is nearly extinguished; and it has rarely happened to me to observe much appearance of compunction even in the case of first children; they know that the parish must support them, and must have the trouble of finding the reputed fathers.

" Feasts and fairs too are also the fruitful source of crimes; knowing that they can apply to the parish, the poor often spend the earnings of a week in one night at these meetings, which are held once at least in the summer in all our country villages, and the immorality produced by them is greater than can well be imagined.

" The severity of our criminal laws has also a tendency to increase crime, as in many cases the unwillingness of parties to prosecute, of juries to convict, and of judges to carry the law into execution, all add to the chances of escape, which those who are hardened in crime calculate upon.

" *Francis Pym* jun."

The Rev. Dr. *Hunt* called in, and examined by the Committee.

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HAVE you acted as a magistrate for some time in the county of Bedford?—About 16 or 17 years.

Have you acted likewise as visiting magistrate of the gaol of Bedford?—Yes, during the greater portion of that time.

Have you brought with you any returns as to the quantity of committals and convictions for crime in that county?—I have brought returns collected by myself out of the records in the gaol, which, I believe, have been accurately kept, and they comprise a period before I acted as a magistrate.

Do you conceive them to be accurate?—I conceive them to be accurate.

At what time do they commence?—They commence in the early part of 1801, and extend to the Epiphany quarter sessions of 1827.

Do they contain the number of summary convictions before the magistrates as well as the committals for trial to gaol?—I know nothing of the amount of the summary convictions by magistrates; they are in the possession of the clerk of the peace, and amount to a very small portion of the number of persons really convicted, as few magistrates send in records of their convictions.

Will you state the general results of those returns from 1801 to the present time?—As far as I have been able to form a list, the whole number of commitments in 1801, including prisoners sent to trial and prisoners summarily convicted, amounted to between 40 and 50; and in the last year they amounted to upwards of 400.

At what time does the increase appear to have chiefly taken place?—If you will permit me to refer to the paper I have drawn out, I can inform the Committee.

Certainly?—There was a considerable increase in the year 1806; from thence a regular diminution to the year 1814; and from thence a great and rapid increase to the present time.

A regular increase to the present time?—Yes; a rapid and almost uniformly continued increase to the present time, extending, in the first instance, from a total of 47 to a total of 417.

Will you be so good as to read the years one after the other?—In the year extending from January the 10th 1801, to January the 10th 1802, the total commitments were 47; in the year ending 1803 they were 88; the next year, 1804, 82; 1805, 91; 1806, 120; 1807, 90; 1808, 98; 1809, 92; 1810, 83; 1811, 79; 1812, 94; 1813, 81; 1814, 117; 1815, 125; 1816, 141; 1817, 175; 1818, 251; 1819, 253; 1820, 241; 1821, 289; 1822, 347; 1823, 419; 1824, 358; 1825, 333; 1826, 348; 1827, 417.

Do you think that any part of that increase is to be attributed to its being more usual to commit for petty offences to gaol than it formerly was?—I do; I think that there has been a great increase of commitments for small offences owing to the facility with which petty criminals can be convicted before single magistrates out of sessions.

Do you mean in consequence of late Acts of Parliament?—The number of such commitments has been certainly increased by the Wilful and Malicious Trespass Act, and by other Acts that give summary jurisdiction to magistrates. I think a great many offences are thus brought to conviction that would not be thought of if they had to go to a more distant or expensive tribunal; the power of summary jurisdiction has been very much extended in latter years.

Do you think that this circumstance tends to the diminution of crime, or to the increase of crime?—I am afraid to the increase both of criminal commitments and of crime; because a person once sent to prison gets into a course of criminal habits by associating with dissolute persons whom he meets there.

Then you think that the increasing the facility of these summary convictions for petty offences has a bad tendency, as it relates to the general criminality of the country?—I think it increases the number of more atrocious criminals, as many young men are thus sent to prison for small offences that would not otherwise have been sent, and by those means they continue in a course of crime.

Do

Do you think that any improvement in prison discipline could prevent this from being the case?—After a long and attentive observation of prison discipline, and after a great deal of conversation with the very excellent chaplain of the prisons of the county of Bedford, I fear that very little improvement is ever made in the moral habits of a prisoner by even the best forms of prison discipline and instruction that have been yet devised.

Does it not follow that a man committed to gaol for a slight offence, and who is not a decidedly bad character, must in the gaol associate with persons worse than himself, and then probably come out a worse character then he went in?—We take every possible precaution in not sending prisoners convicted of small crimes into the wards where men are that have committed more atrocious offences; but in many cases it would amount to solitary imprisonment if we observed classification very strictly; indeed, it is hardly possible, in every instance, to prevent men sent for very slight offences from associating with prisoners of a worse description in small counties.

Does not the practice of putting persons guilty of small offences together necessarily tend to increase the criminal disposition of them all?—I believe men confined to the society of delinquents seldom improve by such association.

When you have stated that upon consultation with the chaplain of a particular prison that you have come to the conclusion that very little or no improvement of morals takes place in prisons, was that answer given with reference to prisons generally, or with reference to your experience in any one particular prison only?—With reference to the prisons in the county of Bedford only; to the gaol, the old house of correction, and the new house of correction of the county of Bedford.

Is the system of classification which is directed by the present Consolidation Act carried into effect at the prisons to which your observations apply?—As much as it is practicable to apply the regulations of that Act to so small a county as Bedfordshire.

In how far does the practice depart from the actual provisions of the Act; how many classes are there in the prison of Bedfordshire, for instance?—I may venture to say that the classification is made nearly as perfect as it can be in a county of the population of Bedford; whenever a person is sent to a ward containing offenders of a class different from his own species of offence, it is merely to prevent such prisoner from being in solitary confinement for a long period.

Are you aware that a certain number of classes with reference to particular offences is directed by law?—I am.

Are there the number of classes in the prison at Bedford which are prescribed by that law?—There are.

Are there the same number of classes in the houses of correction prescribed by law?—There are; and no prisoners of different classes are ever allowed to associate together, unless the separation would inflict the punishment of solitary confinement on individuals; strict separation into classes is only departed from in such instances.

Do you not think that there is a material difference in the inhabitant of a country parish when he has been once sent to gaol, however small the offence may be for which he has been sent?—I believe he is naturally made worse by being sent to prison, and not only so, but that the moral infection spreads when he returns to the village to which he belongs; he is like a scabbed sheep going into a flock.

The Committee do not mean with respect to any moral infection; is not the loss of sense of shame a loss of great security against committing an offence?—Very great; I was so strongly impressed with that conviction, that I was anxious to see a prison established in the county to which young prisoners for trifling offences might be sent, without their incurring the stigma of having been sent to gaol, and I was happy in seeing such a prison established.

What has been the effect of the establishment of that prison, that subsidiary prison?—Not so great as I could have expected; because the new prison laws that have been enacted since that time have produced the effect of sending to that secondary prison many convicted of crimes at the assizes and sessions, so that the magistrates have no longer the power to keep that prison to the mild purpose for which they originally intended it.

So that you consider the experiment has not been fairly tried?—I think that it has not been fairly tried; it was very soon interfered with by the regulations of the New Prison Acts.

Have you made any general calculations of the increase in the number of criminal

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commitments in the county of Bedford since 1801, as compared with the increase of population?—I ought perhaps to have qualified the increase of commitments in the first instance by saying, that in the latter five or six years there have been added the criminal commitments from the town of Bedford; it is not a very large town, and the number of prisoners so sent has not been very large, but there has been a trifling increase from this cause. The town prison has been pulled down, and a contract has been made for maintaining the town offenders in the county prisons. The calculation I have made is, that from the year 1801 to 1827 the population of the county has increased to the amount of 40 per cent., or rather more than one third, while during the same period crime has increased ten-fold or 900 per cent.

Will you state generally to what causes you attribute that great increase of crime, the general heads?—To distress among the agricultural labourers of the county, and to the great temptation to poaching that exists in the county.

You have stated before that you have not perceived any good effect to result from the improved state of discipline in our gaols; have you kept any account of the second commitments previous to and subsequent to the introduction of that system of discipline?—I judge from examining the gaol books every week when I visit the prisons.

In those gaol books is any account kept of the persons committed a second time for offences, the same person?—There is an index to every book of commitments, and I have referred to that index to see how many recommitments there have been, and I have the result of it here during this period; I cannot state the exact years when such recommitments took place; but during that period the number of recommitments has been very considerable.

But can you state the number of recommitments subsequent to and previous to the introduction of the new system of gaol regulations?—I cannot exactly; but I should say that they were rather diminished, though not in so great a proportion as I had hoped would be the case from the improved discipline.

Then, if they are diminished, must it not have had a tendency to diminish crime also?—Certainly, there is a diminution of recommitments, but not a great diminution.

If the Committee understood you right before, you stated that you thought the commitments to prison had had the effect of increasing the atrocity of crime; are you of opinion it has had the effect also of multiplying crime generally, minor offences as well as greater?—I think it has; I think sending persons to gaol for small offences has had a tendency to make them commit greater crimes generally, although there may be individual instances at which they have stopped at the first.

The same person has committed a greater crime; but has it had a tendency to multiply minor offences, small offences?—I think it has.

From what do you deduce that?—I do not mean that prison discipline has had a tendency to do it, but commitments for small offences have a general tendency to increase crime, and prison discipline, and such instruction as can be imparted there, have not been able to counteract that tendency effectually, so that I am inclined to think that the general tendency of sending young persons to gaol for small offences is to bring them into a course of crime.

Then you come to the conclusion that the improved system of our prisons has had the effect of reducing crime?—I do not think that prison discipline has increased crime, but that sending to prison at all, for a small crime, is what I wish to press on the Committee as dangerous; sending to prison at all for a small crime rather tends to increase crime of every description; a man becomes a worse subject by being sent to prison; but he is not made so much worse now as formerly, in consequence of the improved discipline of prisons. I have now in my recollection a man who is now in prison the fourteenth time for poaching.

Do you think that the commitment of young men on account of bastardy tends to the increase of crime?—Certainly; for they are committed to hard labour for not paying the sums due on orders of filiation, and by thus being made to associate with other convicts sentenced to hard labour for higher crimes they themselves often become criminal.

Do you think it is more usual now to commit them on this account than it formerly was?—Very much more so, in consequence of the fathers of bastard children generally being unmarried labourers; the work of the parish being now in Bedfordshire principally done by married labourers with families, these young men have not wages

wages on which they can support themselves, much less can they pay the weekly sum fixed by the orders of filiation, and thus they are perpetually sent to prison.

If the Committee understand you right, you are of opinion that the improvement of prison discipline, although it tends, as far as it goes, to a diminution of crime, is not sufficient to counteract many other causes in operation, which tend to the increase of crime?—I think so.

Will you state generally what those causes are?—Loss of character by having been sent to prison, associating with criminals of a more atrocious character, and a difficulty of finding employment when they return to their parishes.

The Committee wish to ask generally the principal heads under which you arrange the causes of the general increase of crime which you have stated has taken place in the county of Bedford?—I would say, first, the distress of the agricultural labourer driving him to offences against the game laws, or to committing petty offences; 2dly, the effect of bastardy laws; and 3dly, the facility with which summary convictions take place for petty offences; and perhaps I may also mention the great facility of convicting afforded by associations for the prosecution of hedge breakers, and other trespassers and delinquents.

Under the Malicious Trespass Act?—Under all; I mean what are called "Associations for the prosecution of felons, misdemeanants," &c. It occurred to me last week to see a person who had all his legal expenses paid by such an association for pursuing a hedge breaker, and 28*s.* allowed to him for travelling expenses in having gone from one parish to another in searching for a justice; a sum altogether, I think, that man would not have incurred if his own pocket had been the source from whence it was to be supplied.

First, with respect to the distress, is the number of unemployed labourers very great?—In some parishes it is so great that the unmarried labourers are not at all employed by the farmers, but almost universally degraded to become roundsmen, or parish labourers in the gravel pits or on the roads.

What weekly sum do such men generally receive from the parish?—Able-bodied young unmarried men do not receive for such work more than from 3*s.* to 3*s.* 6*d.* per week in some parishes.

As roundsmen?—As roundsmen.

And no other means of sustenance?—No other means of sustenance except what they can make from depredation; and it occurred to me last week that where a young man was living with his father, the overseers only allowed him 4*d.* per day; and on enquiring whether that was for seven days a week, the answer was, "No; 4*d.* a day for the working days only," which was 2*s.* a week, and this for a young man who was apparently 17 years old.

Is that general throughout the county?—I speak of some parishes; in many parishes all the unmarried young labourers are taken either as roundsmen by the farmers, or for parish work on the roads.

Do they receive that sum, small as it is, without any regard to their moral character; without any reference being made to their moral character?—Without any reference to their moral character; it is merely given them to support life.

Do you not think that men in such a situation are liable to yield to any temptation which may give them hopes of bettering their means of living?—They are not only liable to yield to temptation; but I find practically that they do so yield, and that of the temptations which present themselves, they generally yield to that which in their estimation is the least criminal; when a game preserve is near, they go to poaching, as an offence which in their opinion has the smallest guilt.

What do these persons receive during the harvest; these young men who are maintained at 3*s.* and 3*s.* 6*d.* a week?—It is not every young man that can get employed even at harvest time now; but I suppose those who do get employed for the harvest work obtain about a pound a week.

For how many weeks?—For about a month, what is called the harvest month; and they receive rather better wages by going into what is called the hay country for about three weeks before corn harvest time. The common practice is for the overseer to give such young fellows 5*s.* at the commencement of hay season to enable them to seek their fortunes during that time and harvest.

These young men who receive 3*s.* and 3*s.* 6*d.* per week, are they men who work all the year round for the farmers in the parish?—They work either for the farmer as roundsmen at low wages, or on the roads as parish men.

Do they go elsewhere during the summer months, and return to the parish in the winter?—After harvest; yes.

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They go elsewhere?—They go into what is called the hay country in the hay season; they start with a bonus of 5*s.* from the overseer; they return again about the end of harvest, and at the dead season of the year they generally become roundsmen or parish labourers.

Are there labourers sufficient during the harvest month, or do the farmers complain of a want of labourers at that time, and then a superabundance of labourers in the winter?—There is no want of labourers during the harvest time, as there is so great a supply of Irishmen who come at that season.

Then these persons are obliged to go away to earn money during the harvest?—It is the only period of the year in which they can get something better than the pittance of roundsmen.

Do you hear that the farmers complain that these persons who come back on the parish in the winter have been desired to work for them, and have gone away thinking they can get greater wages in other places?—I have sometimes heard the farmers make that observation.

Do they make any difference between those persons who come back in the winter months, a burthen to their parish, having been absent during the summer months working in other places?—No; the farmers in many parishes in Bedfordshire assert that there is a sufficient number of married with families to carry on the agricultural wants of the county, and they look on the unmarried ones to be a burthen upon them, and are glad to get rid of them during the hay and harvest season.

And during the hay and harvest season you said they employ the Irish people?—During the corn harvest they employ some occasionally, and this competition keeps the price from being very high.

And not during the hay harvest?—The Irishmen are not employed much in the hay season, because it is not a very great hay county.

Why do the farmers prefer employing the Irish during the harvest to the unmarried labourers of their own place?—They give less to the Irish labourer than the other would be willing to accept, knowing he could get employment in a distant county at better wages.

Is the number of Irish labourers increasing considerably?—I should say not increasing in Bedfordshire latterly.

Are you able to give the Committee any information as to the difference of wages which is accepted by the Irish labourer and the natural price of wages, supposing that new supply of labour not to have been brought into the market?—I am not competent to give an answer to that question.

What is the conduct of the Irish labourers that come into the county?—In general good and orderly.

Are in fact most of the criminals young unmarried men?—Mostly.

Are they very apt to marry early to get out of this state of roundsmen, to get a better reward for their labour?—I believe many do marry with that view.

From your observation as a magistrate, do you conceive there is the slightest care or thought as to the future in the marriages that are contracted by these poor wretched people?—I believe they are very improvident and thoughtless of the future.

Do they ever care about the future?—They are hardly free agents; as to marriage, many of them marry at the suggestion of the parish officers, rather than go to prison on a charge of bastardy.

Do they not often, on the contrary, marry for the sake of the greater certainty of provision from the parish?—I believe that to be the motive that influences them.

What is the general rate of agricultural wages in your county?—To married men about 8*s.* or 9*s.* a week.

Have you a different price?—I have already stated no unmarried man is employed in certain parishes, except as roundsmen or parish labourers; and the general price of the married labourer is from 8*s.* to 9*s.* a week, according to his ability, with an allowance per head to his family, if numerous; which rate is regulated by the parish officers.

An additional allowance?—An additional allowance.

Above the 8*s.* or 9*s.*?—If the 8*s.* or 9*s.* will not support a family so large as he has, an additional allowance is made by the overseers. Thus the farmers keep up a nominal rate of wages, while they give the means of supporting a large family out of the poor rates.

Supposing a man and a wife and three children were to apply for parish relief, what

what would be done, supposing he was able to earn 9*s.* a week?—In the case of a man, a wife, and one child, when 8*s.* are earned per week as wages, the magistrate would not interfere.

What is your rule?—There is no fixed rule; different parts of the county observe a different rate per head for maintenance of a family; I have heard, that in the northern part of the county 1*s.* 6*d.* per head has been reckoned sufficient for the support of a family, in others 2*s.* per head, and in others a little more.

That does not include a man and his wife?—Yes.

Do you take into calculation the price of bread?—Yes, I am speaking of the present state.

Is there any fixed rule by the magistrates, and generally acted on by the parishes, for the allowance to a man and his wife when they are in distress and can get no work?—Such allowance was formerly fixed at petty sessions in different parts of the county, but they are not followed at present, and each case depends on its own merits.

The Committee infer, from what you have stated, the gaol in your county is one of the best regulated in the kingdom?—Great attention is paid to its management.

It is well regulated?—It is well regulated.

And your opinion seems to be, that crime has increased in proportion to the number of committals; that sending people there seems to have the effect of increasing crime?—The sending men at all to prison for small offences seems to me a cause of the increase of crime; so much so, that I have often advised persons bringing young lads to me for small offences not to press a conviction, convinced that they would probably become worse under the best discipline than if they were not sent to prison at all.

What are your punishments; what is the hard labour to which they are sentenced?—Tread-mills in both houses of correction.

How is that administered; what number of hours per day?—In summer nominally 12 hours, taking out of that time an hour for breakfast and an hour for dinner, and deducting also the intervals of each relay going on; and in winter a smaller time, or from day-light till dusk.

What is the proportion between the time of rest and the time of treading the wheel; is it one third or one fourth; is it considered severe or not, relatively?—It is, I believe, as mildly administered as any tread-mill in the kingdom; but still it is really hard and irksome labour.

Do you not conceive that the recommittal of offenders, of prisoners, very much depends on the degree of punishment they undergo; that the number recommitted very much depends on the severity of the punishment they undergo when they get into the gaol?—I think that in many instances they have hardly the power of keeping out of prison again under such distress and under such temptation as they meet, when they return to their homes.

But, *cæteris paribus*, you would consider that the increase of the severity of punishment would deter people from returning?—I think increased severity might deter offenders; but it would be painful to exercise such severity.

Have you observed that the dread of being sent to gaol has of late much diminished?—I think the dread of being sent to gaol has diminished very considerably.

Do you think the increased order which has been introduced into gaols, cleanliness and so on, and good food, which is sometimes given there, has in a certain degree tended to decrease that dread?—I do not think that prisoners have less dislike of going to gaol on those accounts; the deprivation of liberty is what they most dislike.

What is your gaol diet?—Nearly two pounds of bread to those not sent for hard labour, and a pint of soup in addition to those that are employed in hard labour.

Has there been a great increase of magistrates in the county of Bedford for the last few years?—I think there has.

You have stated that you think the facility of prosecutions has had the effect of increasing crime; do you think that if there was an opportunity of eluding the punishment, that that also would not have a strong tendency to increase crime; if smaller offences were not prosecuted, that that would not have a stronger effect in increasing crime, although the commitments might be fewer in number?—No; I do not think pardoning slight offences would produce so much crime in the country as the committing to prison in every instance for small first offences.

Has there been any diminution within your experience of those minor punish-

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ments that were inflicted on the spot, whipping by the beadle or putting in the stocks?—They have rarely been practised since I have resided in the county.

Has not this increase of magistrates occasioned many offences to be brought before them, which otherwise would not be the case?—I think so, certainly; the facility of always having a magistrate so near.

Have you brought with you a report of the visiting justices of the prisons in the county of Bedford at the quarter sessions before the last?—I have, and in it is an observation that I think bears upon the subject of the inquiry of this Committee.

What is that?—Adverting to the great increase of crime.

Would you be so good as to read the observations to which you allude?—"The number of commitments of prisoners of all descriptions during the last quarter amounts to 169, nearly 60 of which were for offences against the game laws; and during the corresponding quarters of some immediately preceding years, the commitments for offences against the game laws have uniformly been so great as to warrant our thus calling your serious attention to the fact. The progressive increase of criminal commitments appears to us so alarming as to demand prompt and deliberate inquiry and investigation, on the part of the magistracy, as to the causes which may have led to it, in order that if it should appear to be far beyond the rate of the increase of population, and to originate from sources which are within the reach of legislative control, application may be made to the wisdom of Parliament to counteract the evil."

You have stated the increase of crime is owing to distress, but we have not had your opinion as to the cause of the distress?—I did not allude to the distress of the country at large; but to the distress of the poor unmarried labourers employed as roundsmen.

Has there been a great increase of population in the country parishes of Bedford?—Yes, but not proportioned to the increase of crime.

Have the number of agricultural labourers increased beyond their proportion of other classes of the community?—I should think it had.

Does this general want of employment of young unmarried men extend to all the county, or is it limited to a small district?—It is almost general through the agricultural parishes of the county.

County of Bedford, to wit. } Extract from the Quarterly Report of the Visiting Justices of the Prisons in the said County, to the Justices assembled at their General Quarter Sessions, at the Festival of the Epiphany, January 1827.

"The number of commitments of prisoners of all descriptions during the last quarter amounts to 169, nearly 60 of which were for offences against the game laws; and during the corresponding quarters of some immediately preceding years, the commitments for offences against the game laws have uniformly been so great as to justify us in thus calling your attention to the fact.

"The progressive increase of criminal commitments appears to us so alarming as to demand prompt and deliberate inquiry and investigation on the part of the magistracy as to the causes which may have led to it, in order that if the increase of crime should appear to be far beyond the rate of the increase of population, and to originate from sources within the reach of legislative control, application may be made to the wisdom of Parliament to counteract the evil.

"In many parishes in this county the wages given to young unmarried agricultural labourers, in the full strength and vigour of life, seldom exceed 3*s.* or 3*s.* 6*d.* a week, paid to them, generally, under the description of roundsmen, by the overseers, out of the poor rates; and often in the immediate vicinity of the dwellings of such half-starved labourers there are abundantly-stocked preserves of game, in which during a single night these dissatisfied young men can obtain a rich booty by snaring hares and taking or killing pheasants—offences which they cannot be brought to acknowledge to be any violation of private property. Detection generally leads to their imprisonment, and imprisonment introduces these youths to familiarity with criminals of other descriptions, and thus they become rapidly abandoned to unlawful pursuits and a life of crime.

"We have the honour to be, &c. &c.

(Signed) "*Philip Hunt,*
"*Robert Moore,*
"*Thomas Barber.*"

"Bedford, 9th January 1827."

Bedfordshire, (to wit.) } RETURN of the Number of Commitments to the Prisons in and for the County of Bedford, from the Year commencing January 10th, 1801, to the Year ending January 10th, 1827.

—	For Offences against the Game Laws:—viz.			Other petty Misdemeanants, summarily convicted by Justices out of Sessions.	Misdemeanants indicted in Courts of Assize, or Quarter Sessions.	Offenders against the Bastardy Laws.	Prisoners charged with Larcenies or Felonies.	Criminal Commitments in each Year.		
	Offenders against the Game Laws, summarily convicted by Justices out of Sessions.	Offenders against the Game Laws tried in Court.	Total Number of Offenders against the Game Laws in each Year.					Males.	Females.	Total.
Year ending at the Epiphany or January Quarter Sessions. 1802	–	–	–	12	4	5	21	40	7	47
1803	–	–	–	44	18	14	12	77	11	88
1804	5	–	5	37	6	8	26	70	12	82
1805	1	–	1	63	8	2	17	76	15	91
1806	2	–	2	75	17	8	18	110	10	120
1807	2	–	2	47	14	8	19	73	17	90
1808	7	–	7	49	8	15	19	82	16	98
1809	7	–	7	42	14	5	24	72	20	92
1810	3	–	3	40	17	6	17	61	22	83
1811	3	–	3	33	11	13	19	65	14	79
1812	4	–	4	35	17	12	26	87	7	94
1813	4	–	4	33	16	12	16	70	11	81
1814	7	–	7	42	20	13	35	105	12	117
1815*	9	*6	15	56	13	14	27	112	13	125
1816	19	6	25	46	21	16	33	129	22	141
1817	24	6	30	54	21	23	47	168	17	175
1818	61	4	65	67	39	21	59	242	9	251
1819	71	4	75	54	7	31	86	242	11	253
1820	75	2	77	44	25	32	63	232	9	241
1821	65	16	81	89	9	22	88	276	13	289
1822	62	5	67	112	27	39	102	229	18	347
1823	76	1	77	161	13	57	111	393	26	419
1824	62	–	62	119	14	50	113	339	29	358
1825	53	3	56	132	21	27	97	301	32	333
1826	40	8	48	135	24	30	111	328	20	348
1827	88	7	95	172	34	30	86	387	30	417

* In the year 1815 these six poachers were tried for the Murder of a Gamekeeper; of whom one was hanged, and five were acquitted.

N. B.—The Population of Bedfordshire, in 1801, was 65,500; in 1811, it was 72,600; in 1821, it was 85,400; and in 1826, it is presumed to have been 93,000.
From the year 1801 to 1827 the Population of this County had increased to the Amount of 40 per Cent., or rather more than one third.
From the year 1801 to 1827 the number of Criminal Commitments had increased to the Amount of 900 per Cent., or tenfold.

County of Bedford. } The population of Bedfordshire in the year 1801, was 65,500,
in the year 1811, it was 72,600,
in the year 1821, it was 85,400,
and it is presumed, that it had increased in the year 1826, to 93,000,
Now, if from the whole male population in each of the years 1801, 1811, 1821, and 1826, there be deducted one half the number for boys under fifteen years of age, and for men above fifty-five years old, there will remain that class of the male population which has almost exclusively furnished the men committed to prison, for some crime or misdemeanor, within the course of each of those years. In the year 1801 there was only one such commitment out of every 400 of such adult males. In the year 1811 there was one such commitment out of every 267 of such adult males. In the year 1821 there was one such commitment out of every 74 of such adult males: and, in the year 1826, it is presumed, that there was one out of every 58 such adult males, committed to prison, for some crime or misdemeanor.

The total number of Commitments, for crimes and misdemeanors, to all the prisons in and for the County of Bedford, from January 10th, 1801, to January 10th, 1827, both inclusive, was—

Males.	Females.	Total.
2,768.	381.	3,149.

Of which number, there have been committed twice	405.
committed thrice	117.
committed four times	41.
committed five times	17.
committed six times	8.
committed seven times	2.
committed eight times	1.
committed fourteen times	1.
transported	189.
executed	3.

Veneris, 1° *die Junii* 1827.

The Rev. Dr. *Hunt* again called in and examined.

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HAVE you observed any change in the moral character of the labourers since the time you first came to reside in the county of Bedford?—I have observed a loss of the spirit of independence, and a deterioration of character in the labouring class.

At the time you first came to reside in the county of Bedford, were the labourers generally fully employed?—Yes, they were more regularly employed by the farmers in the respective parishes, and the system of roundsmen was then hardly known.

Do you find that a feeling of independence on the part of the labourers is very much diminished?—Very much indeed; there is scarcely any compunction now felt by able-bodied labourers in applying for parochial relief.

Do you not think that the want of a feeling of independence tends greatly to degrade the moral character of the labourers?—Very much so indeed.

Have you made any observations as to the manner in which labourers usually bring up their children?—I think that during a considerable period domestic discipline and parental control have not been so much attended to as formerly; arising, perhaps, from the great increase of schools, parents expecting from those schools more than they have been found to realise. The rapid education given in them is seldom accompanied with much moral instruction.

What kind of schools do you now allude to?—I allude to the schools in which a very rapid system of instruction has been introduced in early life: I allude to what are called National Schools, Lancasterian Schools, and Sunday Schools.

Do you think that in those schools they learn merely reading, writing and arithmetic, without moral instruction?—In such schools as I have had an opportunity of observing, most certainly there has not been so much moral instruction as I could

have wished to have seen; but I think that much more could hardly be expected from the constitution of such schools.

Are not the teachers of such schools under some superintendence?—I believe not universally so.

Up to what age do the children usually attend such schools?—In towns from about five years old to seven or eight.

Do their parents find at the age of eight years old they may earn something?—Generally.

Do they not then frequently forget what they have learnt at school?—I fear so.

Do you find that labourers generally are without any means except what are barely sufficient for their own subsistence?—I find very few labourers having large families who gain sufficient wages to support such families; they are obliged to have almost constant recourse to parochial relief.

Is it among such men receiving parochial relief that you generally find offences?—Generally among those that have received parochial assistance, either in the form of employment or of pecuniary relief.

Have you observed from what class the poachers committed to the gaol of Bedford usually come, whether they come chiefly from the class of persons who are able to earn tolerably good wages, or from such labourers as are chiefly subsisted on parochial relief?—The great majority of persons committed for offences against the game laws is composed of the young unmarried labourers, who have very small wages; though there are some poachers who are dissolute characters, and would remain such, even if good wages were offered.

Do you find that men not being generally of that dissolute class of which you are speaking are less reluctant to commit offences against the game laws than any other kind of offence against the laws?—They generally appear to me hardly to consider poaching as a crime; many who are guilty of poaching would certainly have great reluctance to commit what they consider a violation of private property.

Do you not find the men who have been committed for poaching are afterwards recommitted for petty thefts?—Very frequently indeed.

Are you of opinion that a habit of poaching leads to the commission of thefts?—Certainly; I have observed it very generally to be so. They get acquainted with dissolute characters in the commission of the crime, and in disposing of their booty, and also in the prisons to which they are frequently committed for the offence; poaching thus tends in various ways to injure the moral feelings of the labourer who once commences poaching.

You said in a former part of your evidence that men are frequently committed to gaol for offences against the Wilful Trespass Act, are there any other Acts of a like nature passed of late years that caused persons to be imprisoned for petty offences?—I do not at present recollect any such Acts.

Have you made any observations as to the operations of the last Vagrant Act?—I have; it has very much increased the number of Irish and Scotch vagrants.

Did it not for a time produce a diminution in the number of vagrants?—It produced a great and immediate diminution of English vagrants, so that that class of offenders is now almost unknown in the county of Bedford; and I attribute it to the provision of the Act which prevents them being passed to places which they call their settlements, there being now no provision to forward English vagrants to their parochial settlements.

Do you see any reason to hope any great amendment in the moral state of the labouring poor?—I do not think any great improvement can take place amongst them, until they can generally obtain regular employment and fair wages.

You stated that there was a want of feeling of independence amongst the labouring poor; do you not attribute that to the poor laws?—I attribute it very much to the able-bodied and willing labourers being obliged to apply to the overseers to enable them to support themselves and their families.

You say that the domestic discipline of the children is neglected by their parents?—Yes; from their supposing that the school gives those moral lessons which I fear the school does not give.

Do you suppose there is no moral inculcation from the fathers towards their children?—I think it has been diminished, in consequence of the parents expecting that schools would do what the schools are not capable of doing; that the parents expect from village schools more practical moral discipline than schools so constituted are capable of affording.

Are not the principal objects that the parents of the children have in view, to give

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them instruction which shall enable them in the shortest way possible to earn their livelihood, such as reading and writing?—In an agricultural county, the teaching a child to read and write does not necessarily increase the means of its obtaining a livelihood.

Is not that the main object of the parents?—I am inclined to think not.

Is it not much oftener the object, that they wish to get rid of their children for a stated time, that the mother may be able to go about and do the business of the house?—I should think it very probable, it is a motive in many instances. Sometimes, when I have reproached the parent of a child who had shown early depravity, the parent has generally thrown the fault upon the school, saying "I sent the child to a school where it ought to have been instructed better; I have nothing to reproach myself with."

You state that the poachers hardly consider poaching as a crime; now, what induces you to come to that opinion?—They consider the game which they take not to be private property.

Do they state that?—They say so; they say God has made the game of the land free, and left it free.

Do they not state it from hearing it sometimes so represented by the enemies of the game laws?—I cannot tell what the reason may be that induces them to say so, but they almost universally look upon game, when in a wild state, as not being the property of any individual.

Do you think that notion is discouraged by the farmers?—I think that notion is not discouraged by the farmers.

May not the indisposition to consider poaching as a crime proceed from the pursuit being coupled with an amusement?—I think the men addict themselves to poaching, both from the pleasure they have in the pursuit, and from the profit they derive from it.

Are not the poachers somewhat hardened by the belief that the punishment has exceeded the offence?—They do generally express themselves as of opinion that the punishment is greater than the offence deserves.

And that exasperates them?—Yes; and they sometimes venture to think they have hardly had a fair trial for such offences, when they have been convicted by strict preservers of game, who have frequently been sufferers.

And that no doubt has a bad effect upon their moral character?—No doubt it makes them dissatisfied, if they think they have been convicted by a party interested, and sent to prison for what they deem no crime.

Is there any disposition to send those cases to the sessions rather than to the assizes?—In almost all cases of simple poaching during the day-time by labourers, the offence is tried by the summary jurisdiction of a single justice out of sessions, because the process of going to the assizes or sessions would be troublesome and expensive.

From what you have stated, you seem to be of opinion that the cause of the increase of crime is attributable to the inadequate remuneration of labour?—To the inadequate remuneration of labour to young unmarried labourers, and to the great temptation to poaching which the abundantly stocked preserves of game in the county affords.

But supposing the weekly wages of the agricultural labourer were what they ought to be, were what the services deserved, and what enabled him to maintain his family, do you think that crime would prevail as it now does in that class?—Certainly not; when wages are good, it has generally been observed that the crimes of poaching and all petty depredations considerably decrease.

What do you suppose determines whether the wages will be good or not; to what circumstance do you attribute the inadequate remuneration of labour?—In some parishes to a redundant population; and in other parishes to the farmers having once established a very low rate of wages when the price of corn was low, and to their not having been willing to increase the rate of wages since when the price of provisions has increased.

You then conceive that it is a question of his will rather than of his power to give proper wages, that he is not unable but rather unwilling to give proper wages?—I should say, that in many cases the farmer is unable, and in more cases unwilling to give fair wages, ever since the system of roundsmen has been introduced.

Would not his inability be a sufficient reason?—Yes, quite so.

In what sort of money are those wages paid in the county of Bedford?—I believe silver.

Is there any local bank paper?—Yes.

Is not the majority of payments made in that local bank paper?—I should think that the small pittance which the labourers generally receive now, as weekly wages, is seldom such as to require a bank note.

Are they paid weekly?—Yes.

Has the current money in your county been more scarce or more plentiful during the last two years?—I should think it has been rather more plentiful.

During the last two years?—I am hardly able to answer that question; I should think it has.

Supposing the money had been less plentiful, would not the diminution of it have diminished the means of paying wages?—It appears so to me.

When are there the most cases of bastardy, when wages are high or when they are low?—I am inclined to think that the cases are more numerous when wages are very low, as labourers are not inclined to marry when they have not the prospect of decently maintaining a family.

Do you find many marriages are made under the circumstances of the labourer being threatened to be committed for bastardy?—A great many marriages take place compulsorily; when I say compulsorily, I mean that men marry rather than be sent to prison on a charge of bastardy.

That compulsion is used on the part of the parish?—On the part of the overseers of the parish, particularly if the putative father has no settlement in the parish where the pregnant mother resides.

In your part of the country is it reckoned any discredit to a female to have one or more bastard children?—Yes, it is looked upon as a discredit.

Are you in the habit of punishing them for their second bastard?—The mothers of bastard children have been much more frequently punished of late years than was formerly the practice.

Do you think that has tended to diminish the crime or not?—I am afraid it has not tended to diminish the crime, as women, by having been sent to prison, lose both their sense of shame, and the chance of being hired again into any decent family.

Will you state the changes that have taken place in your recollection in the manner of treating offences in regard to game?—When I first acted as a magistrate, offences against the game laws, whether during the day or during the night, were punished by the pecuniary penalty of 5*l.* under the summary jurisdiction of single magistrates; subsequently, poaching at night rendered the poacher a rogue and vagabond; and latterly, pursuing game at night armed renders a poacher a misdemeanant, triable by a jury, and liable to transportation or imprisonment with hard labour.

It is only since the last change in the law that the offences under the game laws will appear in the account sent to the office of the Secretary of State?—Only since then do they appear in the list of prisoners committed for trial.

Are you of opinion that the severity of the game laws has invited the parties to an infraction of them?—I should think certainly not.

Are you of opinion it would be better to make it penal to be found with arms in their hands in the night upon another man's property, rather than to limit the penalty to cases in which the intention of destroying game could be proved?—I should say, that perhaps the law would be better if it was made penal for men combining together, and being armed at night for any unlawful purpose, as well as for being so armed in the pursuit of game.

The question alluded to a single individual?—I would hardly venture to give an answer to the Committee, tending to recommend the propriety of rendering it penal for a man to be found armed alone in the open country.

Have you known many cases of resistance on the part of poachers armed at night?—Many cases.

When you say armed, you mean with fire-arms?—Yes.

Do you conceive that their resistance depends in any degree upon the severity of the punishment which is affixed to the simple fact of being found armed to destroy game?—I think resistance has been more frequent in cases of night poaching since the severity of the penalty has been increased.

What was the punishment usually awarded to persons found armed at night for the purpose of destroying game before the last Act passed?—At first they were only liable to a pecuniary penalty; they were subsequently liable to be treated as rogues

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and vagabonds, and upon a repetition of the offence to be considered as incorrigible rogues and vagabonds, and as such to be sent to serve in the army or navy; and now for the same offence they are liable to be treated as misdemeanants, and if convicted, to be transported for seven years, or imprisoned and sent to hard labour, at the discretion of the court.

Do you remember any cases of resistance before the passing of the last Act?—Yes, I remember five or six poachers being so convicted and sent into the navy; and having served at the bombardment of Algiers.

Do you conceive that the arms the poachers carry with them are sometimes more for the purpose of resistance in case of being detected than for the purpose of destroying game?—I think that single poachers at night have been convicted of being offensively armed, when it was not the intention of the offender to use the gun as an offensive weapon, but merely as an instrument for the destruction of game.

Do you remember the words of the Act?—As far as I recollect the words are, "Being found armed with certain weapons, described in the Act, by night in certain "grounds in the pursuit of game;" and I venture to think the law might be so far softened in this respect, as that when a single poacher is detected at night in shooting game, if he throws away the gun and attempts to escape, it would, in my opinion, be an improvement of the law not to consider him as offensively armed at night in the pursuit of game. And, I believe, the magistrates in sessions have very generally acted under that impression; so that when a poacher has been alone and thrown away his gun the sentence they have passed upon him has been very little greater than for a common offence against the game laws, seldom exceeding three or four months imprisonment. I have generally addressed prisoners when convicted under such circumstances, and told them, when the sentence was a mild one, that they owed the lenient sentence to their having thrown away their gun, which might otherwise have been considered as being carried for purposes of offence against a keeper.

There is therefore a distinction in the practice that the law does not make, and the letter of the Act itself?—I believe that such a distinction is very generally made.

Have you any further observations you wish to offer to the Committee on the subject of the increase of crime in that part of the country with which you are acquainted?—I am not aware of any other causes than those I have already stated to the Committee in answer to their questions.

You have stated, that in your opinion offenders are made worse by being sent to prison?—I certainly think that few, very few, leave prison improved in moral character.

Do you think it would be desirable to arm the magistrate with any other power of corporal punishment other than sending to prison for petty offences?—I am afraid that public corporal punishment would degrade the mind even more than imprisonment, or that it would have at least all the bad effects consequent on loss of character.

It has never occurred to you, in considering this subject, that there might be any substitute for sending to prison?—I am not prepared to suggest any substitute. I fear that exposure or corporal punishment would not be found to be a good substitute for short imprisonments.

Having stated that public punishment of a corporal nature would degrade the individuals, do you not consider that private whipping would be open to still greater objections?—I think there are very great objections to private punishments.

Do you conceive that any degree of solitary imprisonment, used, of course, very sparingly and with great discretion, would have a good effect as a substitute for imprisonment in some cases to which that punishment is now applied?—I have never yet observed that the effect of imprisonment, or of any other punishment, has had a fair trial, because the prisoners have not been able to return to a state of regular employment at good wages.

Has that arisen from their own fault, or an indisposition to employ them after their return from prison?—From the difficulty of the culprit's finding employment after imprisonment, both from the times and the loss of character, and there being very little demand for unmarried labourers.

You seem to think that the gaols as at present administered do not act for the purpose intended in improving the persons committed to them; what means should you

you recommend to improve the discipline of gaols?—I think the present discipline of prisons is better than it ever was formerly.

Could you give the Committee any hint as to a better mode of arrangement or classification of prisoners?—I am not aware that the Prison Regulation Acts can be improved.

Are the prisons with which you are acquainted prisons receiving both convicted and unconvicted prisoners?—There are two houses of correction that receive none but convicts, that is to say, offenders either summarily convicted or sentenced by courts.

Have you been able to perceive any different results from the penitentiary system in the prison in which convicted prisoners only are confined, as compared with the prison in which both convicted and unconvicted prisoners are confined?—I think an improvement has been made by separating convicted prisoners from those who are sent for trial.

Do you not conceive that a considerable degree of difficulty in managing the convicted prisoners, with a view to their moral reformation, arises out of their being confined in prisons where unconvicted prisoners are also kept, the principal management applicable to the two classes being different, and it being extremely difficult, if not impossible, to apply the penitentiary system to convicted prisoners with invariable regularity where, within the same walls, and under the same government, there are unconvicted prisoners also?—I think it would be better if prisons were divided into three classes; one for untried prisoners, another for prisoners sentenced to fine or imprisonment only, and a third for those who are sentenced to imprisonment and hard labour; each prison to be under a separate keeper.

Have you been able to discover what effect is produced with regard to the increase of crime by the punishment of transportation, and the opinion which is entertained of transportation in the minds of the people themselves?—I believe that, latterly, offenders have not been afraid of a sentence that leads really to transportation; and I know that letters received from convicts in New South Wales addressed to their friends have tended to render them very careless as to the risk of their being transported thither.

Have you been able to detect a growing feeling on the part of the people themselves, that the condition of the poor in this country, without employment and exposed to vicissitudes of distress, is worse in itself than the condition of the convicts in New South Wales?—I am sorry to say that a great part of the labouring population with which I am acquainted appear to think that their situation can hardly be made worse than it actually is. I saw a letter from a convict in New South Wales addressed to a friend in the village where he had lived in Bedfordshire, stating that he was now the owner of a considerable estate; that he had a great stock of cattle; that he served upon grand juries, and was in every respect comfortable; that a mutual friend of theirs, who had been transported with him, was also extremely comfortably situated; but that he was only the tenant of a large farm; that neither of them had any intention of returning to England, but were quite happy and comfortable; and the impression produced by that letter on the minds of their former village acquaintances was, that transportation was rather a benefit and an improvement of situation than a punishment.

Under that impression would you not rather consider the punishment of transportation as one fit to be applied to the lighter classes of offences, to people in the entrance into a career of crime, by which you would get rid of them, than to crimes which they commit in the end of their career?—I can hardly venture to give an opinion on that question, as it might seem to hold out an inducement or premium to crime.

Are you not aware that there is a great difference in the effect produced upon the conduct of the convict by a sentence of transportation for life, or a sentence of transportation for a term of years; the question applies to the moral reform of the convict in the colony?—I certainly am inclined to think that the person who is sentenced to transportation for life is more likely to commence a reform of his criminal habits than one who is sentenced to a shorter period of transportation, which is generally commuted to hard labour for a still shorter period in the hulks, and after which he may have a hope of renewing an acquaintance with his vicious associates.

You would consider more dread existed in the mind of a convicted criminal of a sentence of transportation for seven years, than of one for life or for 14 years?—No, not a greater dread; but there is a greater probability of reform when a person goes abroad for life, than there is with respect to one who considers he may return in a short period to his former associates.

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Do you consider that there is a greater dread in the mind of the convict of a sentence to transportation for seven years than one for 14 years, or for life?—I think there is a greater dread of a sentence to transportation for seven years, when the convict expects that those seven years are to be passed in hard labour on board the hulks.

Is not that the general meaning of a transportation for seven years?—Not always; it may depend upon the report of the gaoler or the visiting magistrates, whether a convict is to be sent to New South Wales, or to be ordered to remain in the hulks.

Do you happen to know what has been the effect of seven years passed at the hulks upon any person who has suffered that sentence?—I do not recollect any individual having been improved by passing his time on board the hulks.

You would rather consider it would be better to invert the application of the two punishments, to apply the transportation to Botany Bay to the lighter offence, and the sentence to the hulks to the heavier offence?—I could hardly recommend transportation for light offences.

Have any that have returned from the hulks expressed any great dread of being sent there again?—I do not recollect any circumstance of that kind.

Is there any establishment similar to the Refuge for the Destitute in the county of Bedford?—No.

Are you of opinion that it might be a good adjunct to all county gaols?—I know too little of the effect produced upon those who have been sent to houses of refuge, to enable me to give an opinion, but I am inclined to think such institutions would be useful.

Do you exert any power in the gaol of Bedford to give the prisoners discharged a certain sum of money if he has been well conducted during the period of his confinement?—We have no power to do more than give discharged prisoners travelling expenses to their homes.

Do they earn any thing in the prison?—We consider that persons sentenced to hard labour ought not thereby to earn money, because their labour is the punishment inflicted for their crimes.

So that no proportion of his earnings is given to him?—No.

What is your general opinion of the effects of prison discipline?—I think prison discipline has been very much improved of late years, and the good effect of it would have been much greater if the liberated prisoners had had an opportunity of generally returning to constant employment and good wages.

Have you made any observation with regard to the proportion or number of prisoners committed to your knowledge who are educated persons?—The great majority have been uneducated; the distress of the country has been such, that parents of the labouring class in the villages have only been enabled to dispense with the absence of their youngest children on Sundays. The boys have been sent very early into agricultural service, and the girls to the lace pillow, to eke out the very small wages which the parents receive; and thus their education has been very incomplete and limited.

Within your observation have the educated classes, suffering under the same degree of privation, borne those privations with more patience and resignation than those who were entirely without education?—I have always observed that educated prisoners have been better behaved in proportion to the education they have received, particularly if moral discipline and instruction had accompanied it; but no very permanent good results unless parental control also has been exercised.

Supposing two classes suffering under the same pressure of distress in the country, the one of which is educated and the other uneducated, this question referring to a state not in prison but out of it, in which of the two classes have you been able to observe the greatest patience and resignation to the privation to which they were exposed?—I do not think education, when it is considered merely as teaching the elements of reading and writing, produces any great difference in that respect; but the bearing of distress or misfortune depends very much upon the moral instruction and discipline that a child may have received from its parents; and I would venture to suggest that a very great improvement in the moral character of the poor might be effected by a more general diffusion of the system of infant education, in which principles of moral conduct, the love of truth, justice, and virtue, are inculcated previously to teaching children the elements of reading and writing.

Have you any infant schools in Bedford?—Not yet; but I am labouring very hard to establish such schools there.

Are you acquainted with the system of infant schools?—Yes, I am.

Where have you observed it?—In London and in the city of Hereford. *The Rev. Dr. Hu*

What has been the result of your observation?—I exceedingly approve of the system, and I venture to look forward to seeing great benefits resulting from its being generally diffused throughout a country where poor parents cannot be constantly at home. 1 June 1827.

Is it attended with much expense?—Very little.

At what age are children admitted?—As soon as they can be separated from their parents; at two or three years old.

What is the kind of system pursued?—The system is to teach them to be extremely happy at the school, and fond of each other. The instruction is made entertaining to them so as to amuse them, teaching them to answer and to ask questions, and to imbue the mind, at the earliest possible period, with good moral and religious principles.

Have you any observation to make with respect to the number of commitments in the county of Bedford which you have delivered in to the Committee?—Great as the increase of commitments is, I fear it would have been quite appalling if those vagrant laws had in late years been in operation, which required every vagrant to be committed for at least seven days before he could be passed to his settlement.

Are the vagrants included in the returns with respect to the former part of the time to which those returns refer?—Yes.

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Mr. *John Orridge* called in and examined.

WHAT is your occupation?—I am governor of the gaol and house of correction at Bury St. Edmunds. *Mr. John Orridg*

How long have you held that office?—Thirty years on the 5th of next April; since I have held that there has been a new prison built, which was inhabited in December 1804. 6 June 1827.

You can speak from your experience during that time as to the state of crime in the county of Suffolk?—I hold in my hand a statement of the total number of commitments in each year, commencing with the year 1805.

Read from that account the total number of commitments in the years 1805, 1806, and 1807; 1810, 1811, and 1812; 1815, 1816, and 1817; and 1824, 1825, and 1826?—In the year 1805 the total number committed to the house of correction was 221; in 1806, 192; in 1807, 173; in 1810, 157; in 1811, 135; in 1812, 191; in 1815, 387; in 1816, 476; in 1817, 430; in 1824, 457; in 1825, 439; in 1826, 573.

At what period did you observe the greatest increase in the number of commitments?—It began to show itself at the latter end of 1814, but in the year 1815 it more immediately began; in 1816 it increased very much, and from that it has never descended.

To what do you attribute the great increase at that time?—In the year 1815 the depression of agriculture became very great, and there was a great dearth of employment; and the cheap rate that was then paid for labour was inadequate to the support of life; it produced riots and fires in our county, riots for the purpose of breaking thrashing machines, which those persons supposed destroyed their means of labour; and I think, as far as I have seen, whenever corn has been cheapest, such has been the depression of the price of agricultural labour, there has always been the greatest dissatisfaction among the lower classes, from the low price of labour not being equal to the necessaries of life.

Do not you apply your last observation to the proportion which exists between the price of the necessaries of life and the wages of labour?—Yes; I think that is the first cause.

You consider that to be the main cause of the great increase of the number of commitments for crimes?—Yes, I do; but I think there are other secondary ones.

Do you think that during the war the wages of labour were more adequate to the purchase of the necessaries of life of the labourer?—I have always heard among the lower orders of people, when the low prices came, the observation made by them, that they were more happy and more comfortable when they paid 4*s.* or 5*s.* a stone for their flour, for that then their labour was better paid by the different farmers, and all found employment, as Suffolk is an agricultural county.

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Are there a great number of unemployed labourers in the neighbourhood where you reside?—Perhaps at this particular time there are, they pay them so very little; frequently a very strong hale man is sent upon the roads at a very little price.

At what price?—The parishes vary very much; some pay to avoid a man going upon the rates, and others pay from the rates; they pay in very different modes.

To what secondary causes do you attribute this great increase?—I think the attention the legislature paid to the improved discipline of prisons, with the Trespass Act, which gives a power to magistrates to commit and convict; I think that has increased the disposition to commit, because the gaols are not supposed to be such places for vice as they were, and many magistrates commit where formerly they would not have done it.

Do you observe that there are a great number of juvenile offenders committed?—We have some, but not so many, perhaps, as in the manufacturing districts.

Formerly, in your remembrance, what were the punishments usually resorted to for petty offences, when they were not sent to prison?—There used to be a reprimand from the magistrates, I believe; there was a power of flogging them at the stocks. As it regards juvenile offenders, I should say that a less term of imprisonment than that usually applied to them, with private whippings, is more effectual than longer terms. I think that the sense of shame is not gone off with a short imprisonment, and, combined with the pain of feeling, makes a lasting impression; and in confirmation of that opinion, on reference to the books, I find that of the number which have been committed within 30 years, not above two or three instances have occurred where boys who had received that punishment ever returned to me as boys, or men since they have grown up.

Is it common to commit young boys for petty offences for a considerable term of imprisonment?—It is not very common; it depends much upon the power of the magistrate; my opinion is borne out by the fact I have mentioned, that I have never had but two or three instances of returns where that has been the punishment.

Does the mere fact of having been sent to gaol operate as a great difficulty in getting employment for these boys when they came out?—I think the boy comes with his character shaken before he comes to gaol; he is looked upon as a vicious boy before he comes; I do not think if it is for a short time that it will prevent his employment; but if he is kept for a long time, communicating, as they must do, however the gaol is managed, that tends to lessen the sense of shame, and, perhaps, to harden them.

Do you think that boys sent for a considerable time to gaol lose their sense of shame?—Yes; I think the sense of shame, together with that of feeling, is more lasting than all the effect produced by a longer imprisonment. I know that nothing in the application of punishment is so much dreaded. I have a great objection to public whipping, for I know the finger of scorn is always pointed at them, and those publicly whipped will never be afterwards employed.

If the sentence of private flogging is publicly known, is not the knowledge of the execution of that sentence productive of the same effect as if the punishment were public?—No, I think not.

Have you found that whilst the number of petty offences has increased, during your experience, the number of graver offences has diminished?—Certainly; we had crimes of more atrocious character at the time of my being first in office than we have had since.

To what do you attribute that change?—I should hope the disposition of the magistrates to check crime in its early state.

What would you call atrocious crimes?—I remember Sir Archibald Macdonald telling me, when he first came the circuit, that he thought ours was the blackest county except Stafford; we had then had several murders and highway robberies.

Have you found sheep stealing or horse stealing increase or diminish?—I think sheep stealing has diminished; horse stealing has increased, I think; there is a new system of horse stealing.

Do you not find an increase of capital crimes, though not of those atrocious offences that you have described, such as murder and burglary?—I should think, upon the whole, a diminution.

You say horse stealing has increased; do not you think that arises from the facility of sending them abroad?—No; my attention has been a good deal drawn to it, and I have questioned several offenders we have had of this description; it is effected in this way: in almost all parishes there is an idle vagabond in the parish who can be played upon by the horse stealers, and it has been effected thus; two horses were stolen

stolen in Hertfordshire in this way; this idle fellow would not go and steal a horse to sell it, but would go into the yard to fetch it out; if he were found in the yard he would not be suspected of an intention to steal a horse, but would be told to go out; he would lead it by appointment to others who were not known in the country; they would give him about 20*s.* and he would not be suspected. We had a conviction of that kind of two gypsies at the last assizes; they were stationed at a particular point, a man led the horse to them, and they gave him 20*s.*; that man has stolen a variety of horses: I have known a horse carried a good way across the country, but have not known any instances of their being transported out of the country.

Has there been greater severity in the administration of the game laws within your remembrance?—Very considerably in the number of commitments. When first I went to the gaol there were four packs of fox hounds kept in the district; there are none now. Until game became strictly preserved, and game associations formed, the number of commitments on the game laws was very inconsiderable indeed; in the year 1810 we had but five; in 1811, four; in 1812, two; in 1824, 60; in 1825, 41; and in 1826, 71; but in the year 1822 there was the largest number we ever had under the game laws.

What was the number that year?—Seventy-eight.

Do you attribute that increase in the number of commitments to an increase in the quantity of game, or a greater severity in punishing offences?—I attribute it to the first cause I mentioned, the want of employment and the inadequacy of the price of labour; and I consider that there is an abundant market for game, and nobody to compete in that market with the poacher.

Do you consider that men who receive an adequate reward for their labour would not be apt to commit the offence of poaching?—Not to the extent to which it has been done, for in the periods where there has been the greatest want of employment there has been the most poaching. There are many persons who do it for the love of the thing. I knew an old man who was transported under the recent Act, who had been poaching all his life; after his conviction, and when leaving the gaol, he said to me, "Sir, I have been out in the coldest nights in winter—on nights when I have heard of persons being frozen on the top of the coach, but I have never felt it cold; I have always been very comfortable, and have felt as much pleasure as the Marquis himself." It was on the Marquis Cornwallis's estate he used to poach.

What sort of character had that man?—A very loose character.

Was he a man who would have worked if he could have got work?—No; he was so fond of game he never would keep away from them.

Was he a married man or a single one?—He was married; he brought up his family to it, and they were engaged in the affray which caused him to be transported.

Do you consider that the greater part of the offences against the game laws are committed by dissolute characters from the love of sport, or by distressed labourers from want of employment and low wages?—The poachers that we have are generally single men; they are not married men with large families; but then they are the last that are employed, for the parishes will always employ the married men first.

Are not those men who are employed solely by the parish generally idle and improvident characters?—That I am not enabled to answer; I know that poachers in general are single men, who congregate for those purposes. I think, generally speaking, that the wives have sufficient influence to keep the married men at home.

Has the quantity of game increased very much within your remembrance?—Exceedingly; for since the fox hounds have been laid down gentlemen have turned their attention to the preservation of game, and the associations for the preservation of it have paid for the services of those who give information that leads to a conviction of the parties.

So that on the one side there is greater temptation to commit the offence, and on the other greater strictness in discovering and punishing it?—Yes, just so.

Do you believe that if the market was open for the sale of game there would be less temptation to poach?—I am sure there would be less poaching; but I wish the first cause removed, for the price of the articles of life to be reduced, or the price of labour increased. I am quite sure, from the disposition of the major part of the people who are in the habit of having game, that if they could get it legally they would not deal with the illegal traders in it, or there would be less cause for the offence. How far that would drive them into the farmers pig and poultry yards I cannot pretend to determine, for while the first cause exists there will be misdemeanors of some character or other.

Do you think there would be such a quantity of game sent to market legally

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obtained that the poachers would cease to find this trade profitable?—I have ever thought so, under restrictions of persons being licensed both to kill and sell, or something of that sort.

Do you think that labourers who have not committed any offence would in that case feel greater scruple at poaching than they now do?—I should observe, that in the article of poaching there is a general understanding amongst the lower orders of people that there is no moral crime in it, so that they go to it with a feeling that they are doing no moral wrong, and that feeling I have heard expressed by gentlemen as well as other persons. I believe there are many men go to poaching who would not steal; but I am afraid there are many men who, when they have been out and taken no game, would take poultry on their return, from their necessities; therefore it does lead to crime.

Do you think that if game was legally sold in the market it would come to be considered more as property than it now is, and that that would induce a different feeling in the labouring class?—It would ultimately produce that effect; there would be perhaps other misdemeanors, from another source, while the first cause exists.

Do you find that men who begin as poachers go afterwards to stealing fowls and other things?—I have known instances where men have assured me after conviction, that they went out for the purpose of taking game, but having been disappointed they have on their return taken fowls or pigs or something else; I think that it leads to a great deal of crime, and so far affects the morals of the people. I think there are persons who go who would shudder at what they considered a felony, but from congregating with idle characters, when they carry the game for sale, their minds get corrupted, and their moral feelings blunted.

Do you find that men sent to gaol originally as poachers are frequently recommitted, either as poachers or for stealing?—They are much more frequently recommitted for poaching than for stealing; it does happen in both instances. I would observe here, that the commitment for poaching is a commitment for non-payment of money, and does not enforce hard labour; we may employ them, but then the Act says in something not severe; unless we can employ them so as to fatigue the body, the other is an amusement, and wears away the term of imprisonment; and in respect of moral instruction, where you do not fatigue the body by labour, you do not affect the man's mind; and I think there is a defect in the game laws; if it is necessary to commit at all, it is necessary to attach hard labour to it.

Do you think that difference in the punishment, applied to poachers and to other offenders, makes a difference in respect of their being guilty of the same crime again?—I should think it does; I think it would be extremely wholesome if the power of hard labour was given with respect to almost all convictions, which it is not; for the law being, that we may employ them in something not severe, they would prefer that, because it enables them to pass away the time, and they feel the imprisonment the less irksome.

Is not there a great deal of fowl-stealing about Bury?—Not very much; not more than in other places, I should think.

Where there is a fowl-stealer does he find any difficulty in getting rid of his plunder?—No; I think those stolen fowls and the game come together, and I do know persons that would just as lief receive fowls as game; I think there are many men who carry fowls to them who would not steal the fowls unless that they were disappointed of their game.

Do you know what price the poachers get for their game?—It has varied very much; there was a time when the respectable part of the poulterers pledged themselves not to deal in it, and it went into the hands of the Jews, and they knocked down the prices; the poachers have told me, that they must work double time to get a living in consequence of the fall of prices.

Do you know whether they get sixpence a-head for their partridges and a shilling for their pheasants?—They did not get more at one time; but I do not think, in ordinary times, they ever got less than two shillings or half-a-crown for hares, the same for pheasants, and not less than a shilling a-head for partridges.

You were understood to state, that if the market was open the poachers would be undersold?—No, I do not think they would be undersold; but there are so many consumers of game who would not buy it illegally if they could get it legally, therefore there would be more thrown upon the market.

Do not you think the higglers would buy the game of them?—No, I do not think it would be worth their while; the low price referred to in the question took place only when the trade went into other hands; when the weather has been exceedingly

hot a return has been made that they were obliged to sell at any price. I have seen their bills for longs, shorts and lions, that is a slang term for hares and pheasants and partridges.

What price do you think the poacher usually gets?—About eighteen-pence for partridges, half-a-crown for pheasants, and two shillings or half-a-crown for hares; but much more for live game for stock, when the season for killing is over.

Has not the multiplication of carriers afforded a great facility for the disposal of game?—Yes; there are very few parishes where a horse and cart is kept where they do not afford facilities.

What observations have you made with respect to the amendment and moral instruction of the prisoners during the period of their remaining in gaol?—I think the application of the tread-mill has been found extremely beneficial; and I know this, it is the only thing, as to the expenditure of the county, of which farmers have not complained: and I have never heard a farmer complain of the expenditure of the tread-mill; he says, "If I threaten my servant with the tread-mill, he mends his pace."

What was the difference between the prison before the time that the tread-mill was introduced and the present?—I think there is now a greater dread of it, and that it produces more order and regularity into the gaol; there are necessarily more officers attending in the place.

Have you found that recommitments are less frequent?—I think they are; but I do not think the recommitments will very much diminish till the first cause I have spoken to is removed in some degree.

Do you consider that any labour less severe than the tread-mill would produce a beneficial effect?—I think it would be a sort of amusement; it would be rather desired by the prisoners than otherwise, to pass time away; and whenever in prison any sort of labour is introduced that requires art, they must be watched or they will spoil it. Prisoners can be employed in scarcely any thing but as mere machines. If it is to furnish any article of value, if they are put out of humour, they will spoil it; I think in that case their inclinations must be consulted rather than forced by discipline, which is wrong.

Have you found that to be the case?—I have had stated to me cases where such employments are given. I recollect a case at Exeter. They used to finish marble chimney-pieces in the prison; the governor said, "Here is a scoundrel, the best workman in the world; I did not give him some beer yesterday, and offended him, and he has, as if by accident, chipped off a piece which depreciates the article four or five guineas."

Do you find a great difference in the disposition of prisoners with regard to labour or idleness?—Yes; very much depends upon the tempers in the prisoners before they come; the active one and the sluggard are very different; an active man does not fear the labour of the tread-mill as a lazy man does.

Do you give an increased allowance to those men?—Yes; I think with the perspiration, exhaustion, and so on, they cannot do with the common allowance. Those upon conviction receive nothing but the diet of the house, whereas before conviction they may receive from their friends; the losing that makes an extra allowance necessary.

How many hours are they employed on the tread-mill?—According to the different seasons in the year, but not exceeding twelve hours, allowing two hours for meals; and there is time set aside for chapel every morning.

What is the difference of allowance between the prisoners employed on the tread-mill and those not employed?—Those before trial and unemployed have simply a pound and three quarters of bread; to those who are employed there are two extra loaves in the week, a pound of Suffolk cheese a week, and a quart of small beer per day, and three quarters of a pound of meat for Sunday dinner.

Do many apply to be put on the tread-mill, for the sake of the extra provision?—I have never been applied to but where they have not friends without, and where they must either do that or depend upon their pound and three quarters of bread.

Have you the means of employing all the prisoners for the twelve hours specified in the Act?—Yes, by the application of the tread-mill.

Every prisoner is employed in the tread-mill in your gaol for the twelve hours?—I speak of those on conviction for hard labour. When I speak of twelve hours, that is perhaps misapplied, for they work as eight to twelve, two thirds; though they are there, they are not actually upon the mill all that time.

Is every individual prisoner twelve hours at the mill?—The prisoners that are

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sentenced to hard labour are employed at the tread-mill (in the summer) from six o'clock in the morning till six o'clock in the evening, being allowed thereout two hours for meals, and the chapel service takes up about half an hour more. In the winter months they are employed as many hours as the day-light will permit, being allowed the same time for meals and chapel; they are put upon the mill in the proportion of two men on, and one off, as a relay; and during the rest thus given the schoolmaster attends to their instruction.

How many tread-mills have you?—One tread-mill, with four wheels.

How many are they calculated to employ?—The mill will employ 84.

How many hours do you consider a person can work at the tread-mill without exhausting his physical strength?—I never found any occasion to apply to a surgeon, applying it in the way I have now described; and I am calculating that the men walk from 48 to 50 steps in a minute, and each step 7 inches apart.

Is the severity increased by the speed of the motion?—Yes; if we exceeed 50 of the dimensions I have mentioned, they are driven into a state of exhaustion which cannot be kept up.

What is the diameter of your wheel?—Five feet.

How long is the prisoner on the wheel?—They rather regulate themselves as to that; if there are 12 in each row I always expect to see two thirds on; sometimes they will change every minute, and sometimes in cold weather they go a little longer or a little shorter; I always desire that as one gets off at the right, another should ascend at the left.

How many years have you had a tread-mill in Bury gaol?—It was the first which was ever erected.

Do you enforce silence during the hours of labour?—Yes; there is a superintendent there to keep the men in their regular stations, and to enforce silence; it is his duty to report any men who are not silent.

When they are off the wheel are they kept silent?—Yes; when they are off the wheel we keep the schoolmaster going from place to place.

Do you make a distinction between a man who has been accustomed to hard labour and a man who has not?—No; I attempted to do it, but I got so much imposed upon I was obliged to discontinue it.

Is it not a much more severe punishment to a man who has been accustomed to a sedentary life than to another?—It is much more severe, but there I have asked the surgeon to report to me; but we never had a man off without a report of the surgeon; it is much more irksome to a tailor, for instance, than to a sailor.

Are women put on your tread-mill?—Never; the proportion of females with us is not more than are necessarily employed in washing, cleaning and mending clothes; we have never applied the tread-mill to females.

Do you employ the females at a crank-mill?—No.

Is there any objection to so doing?—We have never had occasion; we have always had sufficient employment without it; I do not think that women can be employed beneficially at a crank-mill, particularly if they have a child at the breast; constant regular motion is required, and any crank-mill will spoil the article for the want of it; I have heard that observation made by persons who have used it.

Do you employ your tread-mill to any profit?—Yes.

What is the result?—I forget the last year's earnings; the county does not employ a capital; it is sent in by the neighbours as a grist-mill; we charge them the same as they would charge at a water-mill; I think our earnings are between two and three hundred a year.

Have you ever found any prejudice against persons sending their corn to you?—No; we have the character of being as honest millers as others in the neighbourhood.

Can any tricks be played with the flour?—No, because the convicts simply get to the wheel; they have nothing to do with the machinery. Whenever those prejudices have existed, they must have always originated with the neighbouring millers; there is nobody but the miller who has access to the corn or to the manufacture; the men themselves do not know any thing of the machinery.

Is the miller a convict?—No; I have a great objection to employing any prisoners as servants about the place.

And you do not do so?—No, I do not.

Into how many classes do you divide the prisoners?—We have 14. When I have employed them as servants I have always been deceived by them; and it is a little too much to expect that a man who is in as an offender will pay attention to one who he knows is also in as an offender.

You

You stated that the women are employed in washing, &c.?—Yes. When I speak of employment of prisoners as servants, I refer to the placing one over another. I do not make them officers within the place; I have employed one man in a class to do certain things as to cleaning, &c. in the class he belongs to.

All persons sentenced to hard labour go to the tread-mill indiscriminately?—Yes. Ours is, I may say, strictly an agricultural county; if we get a shoemaker or a tailor we can employ them in keeping up our stock, but we do not make them teach others. Our water is raised by a lifting pump, so that if a man is lame he is employed in that.

Do you consider the tread-mill when administered mildly as an effectual punishment?—No.

If it was administered with less severity than as you have described, do you think it would be effectual?—No; I think it serves to pass the time away, and they generally want an object to pass the time away; it is a very common thing for those not sentenced to hard labour to say, "Sir, I wish you would find me something to do, I pass my time so heavily."

Do you not think it would be for the benefit of the future character of the individual that he was employed, rather than remain in a state of idleness?—The imprisonment becomes less irksome.

Does not a person go out of prison much worse in his moral character from remaining in a state of inactivity and idleness than if he were employed in some work?—Most assuredly he does, if he can congregate much with others, for the mind will be active in something or other.

Therefore they corrupt each other?—Yes, certainly; I think the power of employment in hard labour should be given as much as possible.

Have you ever known prisoners of late tell you, that they come into gaol voluntarily to avoid starvation?—No, I do not remember an instance of that.

Do you think that previously to the application of the tread-mill there had been less dread of coming into gaol, in consequence of the amelioration of gaols, than there had been before that?—I think there is certainly more dread of coming now there is a certainty of hard labour.

Was there less dread felt from the period of 1804 up to the first introduction of the tread-mill, during which years you were in the new prison, than there had been previously existing in the old prison?—Yes, I think so, certainly.

Then the amelioration of the prison without the tread-mill you consider as not beneficial?—Oh! dear no, certainly not; but I never saw a mind much affected where we do not affect the body with labour.

Not by solitary confinement?—That operates on different individuals very differently; the sluggard would say, I slept like a hog; whereas it would drive an active person nearly to madness.

Do you think that imprisonment has much effect on juvenile offenders?—I find the boys terribly uneasy for the first few days, but it wears off, shame and feeling make a lasting impression; it is a general feeling among juvenile offenders, that nothing is so much dreaded as private whipping; I have had application from parents to save them from it.

In respect of the observation you have made as to private whipping, do you mean to confine that to juvenile offenders?—I confine it principally to juvenile offenders; say under 20 years of age.

In whose presence is the private whipping administered?—In my own presence.

Not in the presence of the prisoners?—No, I consider it a charity to the individuals to see it enforced; I think it has an effect upon them for life; and when I state that I have had, during 30 years, only two or three instances of returns of those persons, I think that speaks very strongly.

For what offences is privately whipping administered?—For different offences.

How many stripes are given in that case?—That the law does not define; I have generally directed not less than twenty or more than forty.

With what?—A small cat with nine strings.

Does it make the blood flow?—No, I never have it inflicted to that extent to draw blood.

You never exceeded forty lashes?—No.

The number is not prescribed by law?—No, it is not; in fact it may be said to be discretionary; the Judge has sometimes said, "Mr. Orridge, I hope you will see

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this properly applied;" there is very seldom any body present but the governor of the prison.

Have you made any observation in regard to the benefit derived from the religious instruction?—I cannot say that I have; and yet if I speak from their letters to friends, &c. I should hope it had. Previous to the appointment of a schoolmaster I always enforced silence, and as the mind will be actively employed, they were always provided with the means of moral and religious instruction, and by enforcing that silence, and not suffering their mind to take any other course, it is astonishing how fast they will learn; I have known them learn to read and write in six weeks, and I should hope great moral improvement takes place.

Have you known prisoners ever pretend to be reformed who in fact were not?—Oh! yes; hypocrisy goes to a great extent in prisons. I am sorry to say there are many whom I have never known properly till I had no power over them.

Do you find that the worst are generally the best behaved?—Yes, a complete scoundrel conceals himself; I had thought that after 30 years I had a knowledge of criminal character, but I believe I shall die a novice at last.

Do you think that education has tended to decrease crime or not?—I should hope it would, but I am staggered at another thing. I look at this—the increase of crime and juvenile delinquency and the increase of education began together; I trust the one cause is not the effect of the other, as there have been other causes operating.

What have you observed with respect to the prisoners themselves, particularly the young ones, as to the education they have received?—I lose sight of those instructed in the gaol; but many that come, and when I know the parishes and their local situation, my first question is, "Can you read?" "No, Sir." "Why, I know your parish; you must have been sent to school." "Yes, but I have lost it all." I have found many that tell me that they cannot read, but immediately that they go to it they recover it again.

To what age do they generally remain at those parish schools?—That I am hardly able to state. If I should offer an opinion with regard to education, I think there wants to be a system of industry promoted with the instruction; I think the Sunday-schools are very excellent things; where there is only a system of education, without sowing the seeds of industry, it does not go far enough. It has occurred to me, that if I want a poor boy to go on an errand, they have said "Johnny cannot go; it is his only play-hour; he is at school all day."

Do you think that the want of connecting industry with their schooling induces their parents to take them away sooner than they would otherwise do?—I cannot say, but I think it destroys the seeds of industry that should be early inculcated, and not having a school of industry; I do remember when boys who are now at school used to be at labour, and learn habits of industry from their parents, who do not now.

Do you find that they remain at school nearly the whole of the day?—I do not know, but I know that the parents expect that they are being trained for a station in life better than that in which they themselves move.

To what age are they kept at the schools?—I do not know; but there are great throngs in the large towns; they congregate necessarily at the schools, and there are no trades taught them.

You have no doubt of the beneficial effect of Sunday-schools?—None whatever.

When they are able to apply themselves to some branch of industry, they are taken away from the schools, are they not?—Yes, in some instances; but I have had many who have forgotten their learning; they have not kept it up by attendance at the Sunday-school afterwards.

At what age have you had them in the prison?—Four or five and twenty.

What proportion of the persons committed to Bury gaol are able to read and write?—There are very few, I apprehend, of the junior branches of the people, from 17 to 25, who have not been able to read; and it is astonishing with what rapidity they gain it, and they do go out capable of writing, many of them, who were not before.

About what proportion of the number of persons committed were capable of reading and writing at the time of their admission?—I have not kept an account of that.

Is it any considerable proportion?—I think it is now; I think there are very few parishes where they have not schools or Sunday-schools, and that all have the means of instruction.

It does not appear from your answer what was the number of persons committed

who had learned to read, and the number of those who had not learned to read, of the whole number you have received?—I have not kept those accounts, and am not able to speak to them.

Do you think a system of education combined with industry would be of service to the moral character of the poor?—Yes; but I have great doubts of the efficiency of the system of education as now conducted.

Do you not think that industry might be combined with the present education given?—I think it might.

Do you not think they are less likely to commit offences from having been educated?—I should think so.

Giving a preference to a school in which habits of industry were combined with instruction in letters; do you give a preference to no instruction at all, to a school in which instruction in letters only was given?—No; I would give the preference to instruction rather than no instruction; but I think it does not go far enough; it should instil habits of industry.

Do you apply your last answer not only to the subject of education generally, but to the subject of education as bearing on the increase of crime?—Certainly, I should consider that the most ignorant would commit the most crimes.

Have you any doubt that if education had not been introduced, and the people had remained in a state of ignorance from the other sources you have mentioned, the increase of crime would have been at least as great, if not greater, than it now is?—I think it would have been greater if there had been no instruction at all; but I think there is a disposition on the part of parents to suppose that when the females particularly are educated, they are destined for a higher walk of life than they have themselves moved in, and I think there is a disposition on the part of their parents not to send them to service in the ordinary way, but to send them to light places, or to make them dress-makers; I think that instruction in reading is preferable to that in writing for females.

Have you not found that the instruction of the children has been productive of a moral effect upon the parents?—I think the parents have had a great pride in it.

Has it not produced a good effect in the conduct and character of the adults?—I think perhaps it may; but there is also a disposition on the part of the parents to suppose that the children ought to move in a higher rank of life; they do not expect them to be labourers.

That will remain as long as education is partial, when it becomes common that will cease to exist?—I should hope it will.

Do you think it creates a jostling in society, that they become dissatisfied with their situation?—I think it has that effect in some degree.

Are you acquainted with any charity-school which combines instruction in any art with instruction in letters?—There was a charity-school in the town where I reside, in which the woollen business was conducted; they went to labour by spinning, and on the alternate days they went to reading.

Do you know of any commitments of persons educated in that school?—No, very few; I knew the school well; but the manufacture of yarn has totally left the country on account of machinery; but there was a habit of industry; they went on alternate days to work and to school, and they were a less burthen to their parents, for they earned money for their clothing, and sometimes got apprenticed to trades.

Do you think that children have often learned at schools, where there were some bad characters, some evil habits which they would not have obtained at home?—That has never come within my knowledge; but the congregation of masses, unless they are watched, will always produce mischief.

Do you not think as much learning as may be necessary may be learned in the Sunday-schools?—I think them the best institutions for an agricultural county; there are useful schools, such as old dame schools, in the parishes, but they are for young children, to whom no other education can be applied; I think that Sunday-schools are very beneficial in a variety of ways; they are never employed on that day, and they will congregate, and they had better congregate in Sunday-schools.

Is there not much more connection between religious feeling and moral habits in Sunday-schools than other schools?—That has always struck me so.

Do you think that many children are sent to schools who might with more profit to their moral instruction be exercising the industrious calling of their station?—I think that, as many schools are now constituted, they are kept so long that the seeds of industry are not cultivated early enough.

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You state that you find that the education of the children has induced their parents to look to higher stations for them?—Yes.

Does not that enable the parishes to get rid of a part of their surplus population by their being sent away?—I do not know instances of that.

Are there not in your county lock-up houses, district prisons?—No; when the new gaol was built the others were done away with; as far as my observation has gone, I think that in the minor gaols there is a great laxity of discipline, because they are not so much attended to; the officers are of a different description.

Do you not conceive the list of criminals is greater now than it used to be formerly, owing to a number of cases going to gaol which were formerly disposed of in the district prisons?—I do not know how far the numbers are increased, for they never were included in the returns called for; now there is a return of the whole made.

Do not you think that the number of commitments is increased at present, in consequence of a less number of persons being sent to gaol under a less perfect administration of justice than now exists, persons who were never sent to gaol at all?—Yes, certainly; and from the attention which the legislature has paid to the improvement of prisons, magistrates are more disposed to send them to prison than formerly, when they considered it as a school of vice.

Still you do not think it is a school of virtue?—It is very much altered and amended since I began to be a governor.

Do you consider generally that the increased practice of committing to gaol for smaller offences tends to improve the character of the people, or otherwise?—I am not aware of any other mode that can be substituted; I think it is rather beneficial than otherwise.

You think that it operates in the prevention of more atrocious crimes?—Yes, I do; and I am driven to that conclusion from the atrocious character of crime not being so great as it was.

Have you observed any general change in the moral character of the agricultural labourers during your experience?—Not particularly; I think they are better informed than they were.

You state that you think that persons in gaol are not rendered better by their imprisonment?—No, I did not mean to state that; I think that the application of the tread-mill, combined with moral instruction, tends to make them better; where the body is not fatigued, I think very little effect is produced upon the mind.

Do you not consider, that many of the advantages to be derived from the punishment of minor offences is counterbalanced by the company in which they are necessarily placed in gaol?—I do not think so; because the gaol is now so constructed, from the late improvements, that during the hours of labour they are always under superintendence, and during the hours of rest they are always locked up separately.

In the classification do you observe always the classification of crime, or do you take into your consideration the character also?—I do not see how the law can define the classification except as it does; but, judging from 30 years experience, I class them by character and conduct, and not by crime; if I deviate much from the rule, I inform the magistrate of it; but I should always class by character and conduct, not by crime.

Do you not find among persons committed for petty offences there are more atrocious characters frequently than those committed for offences of a more serious character?—Yes, and I attribute it to this—that being atrocious characters the magistrate sends them when he can get at them; perhaps if such a man was put with a man charged with a capital offence it would be doing mischief.

You class the prisoners a good deal according to their character, and not according to their crime?—Yes, and the Act of Parliament allows that, it being stated to the magistrate in the journal. I think a classification according to law does no good at all.

Do you conceive that any system of classification that could be devised in general terms in an Act of Parliament would reach the necessity of the case?—I think it is reached by the Act of Parliament, for though it states the classification to be according to the crime, it allows of a variation, the magistrates being informed.

The part you approve is the power of variation, rather than the rule?—Yes.

You never put convicted and unconvicted prisoners together, do you?—I have sometimes done that when the unconvicted have been with me before as convicted; but that cannot be done very well, because before conviction they may receive assistance from their friends, but not afterwards; they do not go upon the dietary of the house until after conviction.

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Do you consider that as a desirable power in the law to continue?—Upon the presumption that every man is innocent till found guilty, putting him on the dietary of the house is a punishment, if you exclude him from purchasing food.

If the option were to be given to the prisoner either to accept the house dietary or to be supported by his friends, would not that meet the objection to which you have referred?—No, because then the man who is the greatest rogue would have a better means of living in luxury, and a very poor man could not make his election.

Do you allow the friends of convicts to visit them?—We have stated days of the month; they are never admitted without the order of a magistrate, and that not more than once a month; our visiting day is only once a month; I wish it was only once in three months.

Do you allow persons to visit those confined for short periods?—Not for less than a month. I wish there were not visiting days more than once in three months; both their friends would regret it, and the men would regret it very much.

Whatever is the condition of the prisoners, they are all obliged to live on the prison allowance?—Yes, after conviction, without special direction.

Do you not consider it a greater hardship to a person who is in a better condition of life to be reduced to bread and water, than a person in an inferior situation of life?—No doubt of it.

You have stated that you enforce silence during the punishment of hard labour; do you enforce it on any other occasion?—We have no means of enforcing it except during the hours of labour, for our superintendents are not among them except at those hours.

There is other labour that is not hard labour, is there not?—No, we have no other labour; if we have a shoemaker or a tailor he sits solitary, for there is only one; we do not allow any noise or singing, or any thing of that kind, at any time.

Supposing they were congregated in large numbers, there would be no means of preventing mischief but by enforcing silence?—Certainly not.

Should you enforce silence in such a case?—I should enforce silence whenever they were congregated together, if I possibly could, but it is nearly impossible.

Have you observed that there is less reluctance than there formerly used to be in labourers to receive the parish allowance?—I remember the time when a man considered himself disgraced by taking the allowance. I remember in a parish which adjoins Bury Saint Edmunds a very old farmer mentioning to me an extraordinary occurrence: I think the law was, that if a parish needed no poor's rates they should be annexed to the adjoining parish, and that when he took that farm the magistrates threatened him with that parish being annexed to the next parish, they not having any poor rates; but at last he went to a poor old dame, and got her to take some money, though she did not require it; that is several years ago; the person who told me is lately dead.

What do you think is the feeling now among labourers, with regard to taking assistance from the poor's rates?—I think they do not take it as a favour; that they consider it as a matter of right, from the price of labour not being sufficient for the maintenance of a family; that they claim their pay as they call it; they say, "I have come for my pay."

Do you think they are, any of them, unwilling to take it?—I am afraid that feeling has gone by, from the long course they have had to receive it; I think the independent spirit has been all destroyed.

Has not the payment of wages out of the poor's rates altered the whole feeling of the population with regard to the rate?—I am afraid it has.

Does not it strike you as inevitable, that if any portion of the wages of labour is paid out of the poor's rate, the poor's rate will be considered as a matter of right, and not a badge of insolvency?—That is the feeling at present; and when the unemployed poor are put on the parish to work on the roads they become lazy; they say it comes out of the parish; there is no disposition for habits of industry; they do not care how much they idle the time or how little they do; but that is a subject which does not so immediately come under my observation. When men are sent to labour, and know that it comes out of the poor's rates, there is a great indisposition to be in any way industrious; they know that whether they sit on the wheelbarrow all the day or work hard, the result on the Saturday night will be the same; and from that continuing for the long period it has, they become very lazy. It has a bad moral effect.

Does not it tend to dishearten the industrious labourer likewise?—I think it does in the town of Bury, as far as my inquiry has gone. I can trace families

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whose grandfathers were on the rates, and their descendants still remain so. They reckon upon it as a matter of right, and act accordingly.

Are there any saving banks in your neighbourhood?—Yes.

Do the labourers put money into them?—I am not able to speak to the application of them; I am afraid few have the means of doing so.

It is your decided opinion that it is the low rate of wages which is the great cause of crime?—It is, as compared with the necessary articles of life.

What is the average price of labour in your county?—I should say from 8*s.* to 10*s.* a week; if they take task-work they will get more.

What do they earn during harvest?—As an average they could get for about five weeks from 5*l.* to 7*l.* a head.

There is some increase of wages during the hay harvest?—Of course there would be.

To what do you attribute the low rate of wages?—I think with us the depressed state of agriculture; I have no other means of judging.

Then in the view you have taken of it, would not a fall in the price of the necessaries of life produce the same consequences in diminishing the temptation to crime, as in the low rate of wages?—Yes, certainly.

Would not a decrease in the necessaries of life produce a still greater fall in wages?—If it depreciated the price of agricultural labour it would have that effect.

Might it not also throw them out of work?—Yes, most certainly, if the farmers could not afford to employ them. In all the returns I have seen, whenever corn has been the cheapest in the county of Suffolk, the labourers have been the most pressed upon, by their inability to procure the necessaries of life.

Does the high price and low price produce the same effect upon a man with a family and a single man?—A man with a family will always, for the sake of the parish purse, be the first employed. A single man will get no employment at all, or if he does get employment, at a great depreciation; he is sent upon the road for 8*d.* or 10*d.* a day. What a married man with a family wants in his wages, he claims at so much a-head, as adjudged by the magistrates, according to the price of flour.

Is it not the fluctuation of price rather than the high price of food which distresses the labouring classes?—I hardly know how to say that, for the magistrates always adopt a rule in regard to the allowance, according to the price of flour; they adopt a certain quantity of flour, and they do not have regard to price.

They take the price of the day?—Yes; therefore the immediate fluctuation, a little more or a little less, does not affect them, though it affects the poor's rates.

When the price of corn is high the demand for labour is universal?—Yes; the farmer is enabled to employ all those around him when the prices are high.

Were you acquainted with the management of prisons before an improvement took place in them?—I was nearly seven years in the old gaol before we went to the new gaol. I have been ever since 1804 in the new gaol, according to its present construction.

Without taking into account the tread-mill, do you think that an idle or dissolute person would have a greater or a less reluctance to be committed to a new gaol strictly managed, or to one of the old irregular gaols, where great irregularities prevailed?—He would go to the old ones if he had the choice. In the old gaol we left we had but two rooms, one for debtors, and one for criminals of all denominations, so that there was a general congregation from the 1st of January to the 31st of December.

To persons of dissolute habits was that species of confinement, in association with individuals of the same class, and supported to the same degree at the public expense, considered as a punishment?—It could not be; in the first place, the doors were opened in the morning and not shut till night; there was a constant intercourse with those abroad; there was no prohibition of liquor; there was a tap in the prison; the whole was a scene of riot. Now, if a superintendent reports any man to me, I say, "Mark him down no visit to be admitted to this man on the next day;" that is terribly annoying to him. When the friends apply, the answer is, "He has behaved ill, and you are not to see him;" then he gets an exhortation from his friends of "Why do not you behave better."

Has not the cleanliness, order, and regularity which was introduced into the gaols previously to the introduction of the tread-mill, tended to diminish that dread of gaols which existed before among the generality of the community?—I have no doubt the moral effect is much greater now than then.

Was not there a greater dread and horror of going into gaol then than there is

now?—It has become so much more frequent from the causes of commitment that I can hardly say; but I should think they were not in the general way, because at that time they were permitted to have daily intercourse with their friends. I know there is a great desire to see their friends. If they were in service their friends would not see them once a quarter, but now they will see them once a month.

In some gaols the dietary was better than at their own homes?—Yes, they are suffering more in many instances from privation at home than in prison; I mean in the want of bread.

Do not all those circumstances operate to decrease the horror a man has with respect to going to gaol?—That is only in certain cases; where a man is starving at home it lessens the horror of going to gaol, where he is sure of bread.

Speaking generally, do you think that the privation of liberty, and the enforcement of the rules, is a greater punishment than can be counterbalanced by any improvement in the diet?—Yes.

Do not the regularity, the discipline, and order of the prison, constitute part of the punishment to the persons confined within?—I think so; I think the best management of a prison is to assimilate their mode of life to that which it ought to be abroad; and it is for that reason I am so much for aiding and inculcating both within and without habits of industry, with moral instruction—that the one cannot succeed fully without an attention to the other.

Has the increase of associations for the prosecution of felons had any tendency to increase the number of commitments, by the facilities it has afforded to bring persons to justice?—Yes; I think there has been a greater disposition on the part of the magistrates to commit than there was.

You stated that a considerable number of the commitments have arisen out of the Trespass Act, can you give the number?—No; but that gives the power of committing for many things where the remedy formerly was by bringing an action.

Do you consider that the general administration of the police is stricter now than it used to be?—Most assuredly; and I think that the Trespass Act has done great good.

Has the increased vigilance of the police, in the prevention or punishment of crimes, contributed, in your mind, also to increase the number of commitments?—Certainly, very much so; but I think that has had an effect in decreasing the number of more atrocious crimes.

Has not the proportion of persons committed from the sessions been on the increase lately?—Yes.

Compared with those committed from the assizes?—I think the sessions have lately tried a greater number of persons charged with offences than they used to do, such has been the disposition of the country to deliver every person that the law allowed at the first gaol delivery.

Independently of that, has there not been a disposition to send prisoners to be tried at sessions, in preference to assizes, more than formerly?—I do not know with regard to that; there is a greater disposition to send them to the first gaol delivery; from the general feeling of the country, and the expression of the Judges in their charges, they are sent to the first gaol deliveries. I think it is a great advantage to have frequent gaol deliveries; there is a more lax discipline of the gaol with regard to prisoners for trial, on the presumption that they are all innocent till they are found guilty; and therefore the sooner they are tried the better.

What proportion of persons discharged do you think return to gaol?—The returns for misdemeanors are much larger than those returned for felonies. I should say in respect to those returned for felonies about five per cent., but I have not made a calculation of the number returned for misdemeanors.

What is your opinion of the number of those returned for smaller crimes?—I cannot state, but a greater proportion than for capital offences.

Has that proportion diminished since the introduction of the tread-mill?—The introduction of the tread-mill, being supposed a more efficient discipline, has occasioned a larger number of commitments. I do not think we can draw a conclusion with a former period in consequence of that. I think it is pretty apparent, when we take up papers and see that the men have revolted and rebelled on account of the tread-mill, that it must be seen that that is pretty effective; and I should be much disappointed if that was not the effect, having been the first cause of its being introduced.

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duced. It was witnessing the evils arising from non-employment in the prison that I was led to conceive the necessity of the tread-mill; it was from a very simple cause that I thought of it, and submitted my views upon it to the magistrates.

Sir *Thomas Baring* Baronet, a Member of the Committee, examined.

Sir Thomas Baring, Bart.

FROM the attention which you have paid to the subject of crime and punishments, are you prepared to give any information to the Committee on the increase in the number of criminal commitments?—I can speak as far as respects the county in which I have acted as a magistrate now for about 20 years (the county of Hants); and I can state that crime has considerably increased, at least commitments to prison for crime have very considerably augmented. I do not believe, indeed I may say I can speak with some degree of certainty, although I have no documents at present by me to govern me, that offences of an atrocious character have diminished, excepting horse and sheep stealing, but petty offences have increased to a very great degree.

Do you consider that the offences themselves have increased, or that it has been more the practice to commit persons to gaol for petty offences than it formerly was?—I should say that offences against the game laws have undoubtedly increased very much; and that the number of prisoners committed to the house of correction in Hampshire has been frequently, at one period, as many as 50, 60, and 70, making one moiety of the prisoners in that gaol, exclusive of those committed to the county gaol, for offences against the game laws of a greater magnitude.

Do you happen to know whether it is hunger, or the wish of selling the game, which has impelled persons to infringe the laws?—I believe that the persons have been instigated to the crime by distress; the offence has been committed for the purpose of the sale of the game.

Do you remember at what time the great increase of offences, with regard to the game, began?—I think for the last three or four years there has been a great increase.

Do you attribute that to the increase of distress, or the increase of game affording greater opportunity?—To both.

Have the people been generally in a worse condition during the last three or four years than they were before?—I think they certainly have; and whenever the price of agricultural produce is low, distress prevails amongst the agricultural labourers.

During times of distress is poaching the most common offence?—I think it is almost the only offence to which distress drives the agricultural labouring population, except poultry stealing and wood stealing, which have prevailed to a great degree also.

Do you think that if there were no game, distress would have caused poultry stealing and other offences of the like kind to an equal amount?—I should think not, from the facility with which that offence may be committed as compared with other petty offences.

Has there been a great increase in the quantity of game preserved?—Very considerable, and confined to small woods, making it extremely easy for them to be taken.

To what species of game do you refer?—Game in the woods—hares and pheasants; but I can mention an instance where game is preserved to the highest degree almost of any property in that part of the country; and in consequence of some illiberal observations in one of the newspapers, that the proprietor had occasioned a number of persons to be committed for poaching, I had the curiosity to inquire what number of persons had been committed for poaching upon that property since the game was first preserved, for the last 13 years, and in that period only three persons had been committed for poaching on that property.

To what do you attribute that?—In consequence of the strict watch and the number of persons employed to preserve the game.

Do you believe that if the labourers were paid adequate wages there would be much poaching?—I feel confident that there would not, and I can speak from personal experience. In the part of the country in which I reside, poaching existed to a considerable extent; from attention to the employment of the poor, and to their conduct also, I can say that for the last two years no one instance of poaching has occurred, committed by the persons of that neighbourhood. It had been the custom of farmers in the winter months to reduce the price of labour from 9*s.* and 10*s.* to 7*s.* and 8*s.*; I prevailed upon them last year not to reduce the labour at all, but to keep it at 9*s.*, and I endeavoured to show them, and did succeed in persuading them, that

that they would not lose by the system; that they would have nearly as much to pay in parish rates, and the result has been that the people were well off; and in no instance has there been a complaint made to me as a magistrate, from any party of the neighbourhood, for any criminal offence committed—a circumstance which has not occurred in any former year.

Were all the labourers employed during the winter?—The whole of them were employed; whenever a person was found wanting employment, by agreement amongst the farmers, he is taken into the employment of some one of them, and not allowed to remain unemployed.

Do you call 9*s*. full pay?—Yes.

Do you think it will be possible to induce the farmers to continue that system if they have not full employment to give?—I am sure that in most cases it would answer, but I cannot say that it would be generally adopted.

Do not you think that the present manner of administering the poor laws leads to an increase of the population, beyond the means of employment?—I think the poor laws have been very much abused. If restricted to their original intention and purpose, they would be productive of the greatest benefit to the country; abused, they are productive of great evil. If they were confined simply to provide for the aged and infirm and impotent, and not applied as they are now to the payment of part of the wages to the labourers, they would be productive of good. There is also mixed up in what is termed poor rates that which does not belong to them, and which ought to be separated; and I think if persons of intelligence would look more accurately into the management of the poor, and to their comforts and conduct, the system of the poor laws would be a national benefit, and not an injury, both to the poor and to the rich.

Do you think the labourers have a notion that they have a right to their subsistence out of the poor rates, whatever their conduct may be?—Most undoubtedly they do; and it arises from a misapplication of the money raised for the relief of the poor.

Do not you think that notion tends very much to degenerate the character of the labourer?—I do, certainly; and for this reason I was anxious to keep up the price of wages, that the same disgrace which formerly attached to the labourer in coming upon the parish for relief should again be felt.

What do you think is the objection felt to making that change on the part of the farmers generally?—I think, in the first instance, the desire to throw the burthen from themselves upon others, and also, in a great measure, from an indifference which prevails in their minds with respect to the moral character and conduct of the poor; that when they have to pay 9*s*. wages instead of 7*s*. they do not take into consideration that, in the event of their paying 7*s*., they will very frequently have nearly as much to pay in the shape of their proportion to the poor's rates. When I mentioned that I thought much benefit might result to the poor as well as to the rich by attention to the conduct and comfort of the poor, I can state a plan which I adopted, and from which I think not only the comforts of the poor have been materially increased, but the rates very much diminished; the character of the people has been very much improved, and I think crime has been consequently repressed by it.

Have the goodness to state the plan to which you refer?—Some five or six years ago I found, upon inquiry, that the poor generally were very much in debt to the village shops, of which there were two, three, or four in each village; that in consequence of their being so much in debt, they paid their wages and parish allowance as they received them from the farmer and overseers immediately to that shop, in part payment of the debt which they had incurred; this left them so much in the power of the shopkeepers, that they sold to the poor their goods at any price they chose to put upon them, from 50 and 60 to 70 per cent. above the price in the neighbouring markets, and of very inferior quality. I found also that the shopkeepers themselves were not deriving a profit beyond a bare subsistence, but were as poor as their customers, and were largely in debt to the wholesale dealers; that nearly the whole profit of the shops went into the pockets of the wholesale dealer in the neighbourhood. I had before tried the establishment of a village shop, but from not being able to pay sufficient attention to it myself it did not succeed; so satisfied, however, I was that the principle was a good one, if properly attended to, that I induced the farmers in the neighbourhood to agree to the establishment of a shop, to be under their management, and a rate was levied for the purpose. The plan adopted was, that all the money paid to the poor from the poor rates should be paid in a credit upon this shop, and the farmers should also give a credit upon the shop for the wages of the labourers, making it optional to the labourer to

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take it in goods or in money. Bread was sold at 3*d.* per gallon loaf, under the price charged in the adjoining parishes; and other articles, instead of 50 to 70 per cent. above the price of the markets, all something under the prices charged in those markets, thus making the poor man's wages of 9*s.* equal to 11*s.* and upwards. The result of the two first years experience was, that the poor rates were reduced more than one third, the poor were in a better condition, their families well fed, and in much greater comfort, and the shop yielded a profit of about 200*l.* to the parish, after paying off the rate levied for the establishment of the shop. It appeared an act of injustice towards those shopkeepers to take away their custom; but finding that they derived only a profit adequate to their bare maintenance, it was agreed to allow them the actual profit which they declared they derived from the shop. As I have only given a very hasty and imperfect sketch of this plan, which after six years experience I have found to succeed so well, both in promoting the comfort of the poor and the benefit of the contributors to the poor rates, and as the time of the Committee will not permit me at present to explain more fully the effects of the system upon the moral conduct and happiness of the poor, I will take another opportunity of doing it.

Veneris, 8° *die Junii* 1827.

Sir *James Graham* Bart., a Member of the House, examined.

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HAVE you acted as a magistrate in the county of Cumberland?—I have acted as a magistrate for the county of Cumberland for the last eight years.

Have you likewise acted as a visiting-magistrate of the gaol of Carlisle?—I have been one of the committee of management of the Carlisle gaol for the last five years.

Have you observed during that time any remarkable increase of crime in the county of Cumberland?—Until within the last eighteen months I should certainly say that I have observed no increase; but within that period a great distress has been experienced by the hand-loom weavers in Carlisle and its vicinity, and since the commencement of that distress crime has increased in that particular district.

Is the hand-loom weaving confined to the neighbourhood of Carlisle?—It is confined to Carlisle and the adjacent district, in a circle of about ten miles diameter.

Is the character of the rest of the population of the county of Cumberland agricultural?—It is mining, sea-faring, and agricultural.

What is the general rate of wages given to an agricultural labourer in your neighbourhood?—The custom is universal in the county of Cumberland of refusing any payment of wages out of the poor rates; the consequence is, that the rate of wages paid by the employer to the labourer is higher in Cumberland than in almost any other agricultural county: a ploughman there receives at least 12*s.* a week in many cases, with a cottage or rooms rent-free, and in no case does a field-labourer receive less than 18*d.* a day, if he be a good workman.

Is it not the custom for the labourer to receive assistance out of the poor rates for the support of his family, when his family is large?—It is not. Mr. Sturges Bourne's Act has been carried almost universally into execution: select vestries assemble regularly, according to the provisions of that Act; neither rent nor wages are paid out of the poor rates. The fund is most economically administered. Except in special cases relief is refused, and the poor rates, notwithstanding the increase of manufacturing poverty, have diminished, even in the manufacturing districts, since 1819.

Are you acquainted with any parish in your neighbourhood where there is a number of unemployed labourers who receive their subsistence almost entirely from the parish during the winter?—If by the term unemployed is meant persons absolutely without work, there are none such; but if by the term unemployed is meant persons only partially employed and not at full work, in the course of the last winter there were many in that situation.

Do you speak of agricultural labourers?—I speak partly of agricultural labourers, but principally of manufacturing. In the district which I have described around Carlisle the custom prevails of cotters weaving and occupying small portions of land; the population, therefore, must be considered as mixed, partly manufacturing, partly agricultural.

What the Committee wish to know is whether, in the agricultural parts of the county, it has been generally the case that there have been a number of single men unemployed

unemployed during the winter, receiving their subsistence from the parish?—I should not think that in the county of Cumberland a single unmarried man in good health has ever received parochial relief.

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What is the mode adopted for relieving those partially employed during the last 18 months?—In the parishes with which I am more particularly connected, as being the principal proprietor within them, upon the first passing of Mr. Sturges Bourne's Act, I availed myself, with the concurrence of the vestry, of a provision contained in it, for raising money for the purpose of enlarging the poor-house. At that time the parishes to which I allude were in the habit of paying rents out of the poor rate; they became convinced that this was an unwise and prodigal expenditure; and though the outlay in enlarging the workhouse was considerable, amounting to somewhat more than 400*l.*, at least half of one year's rate, yet, when the workhouse was finished, they were enabled at once to refuse relief to all persons unwilling to go there; and the number of applicants diminished so much, that in the course of two years the parish was reimbursed for the whole outlay; and at the present moment, as I mentioned before, no rents are paid out of the poor rates, and no persons are relieved, except under very special circumstances, at their own houses.

Do you now find that the farmers are willing to give good wages to their labourers?—They are naturally disposed to get their work done at as low a rate of wages as the labourers can be induced to take; but they are firm in resisting in the vestry all attempts to aid the rate of wages out of the poor rates.

Have you observed any improvement in the moral character of the labourers since this system has been adopted?—The habits of the agricultural part of the community have ever been in that particular district, to the best of my observation, moral, industrious, and economical, and in that particular class I have observed no change. In the manufacturing part of the population, which, as I have described, is mingled with the agricultural, since the distress occasioned by the invention of the power-loom, and the consequent decrease of demand for the produce of their industry, which is hand-loom weaving, a great increase of crime has taken place, great discontent, and with increased poverty a general degradation of their moral character.

Do you find that there remains among the agricultural labourers a spirit of independence, which would induce them to feel repugnant at receiving assistance from the poor rates?—I think the very greatest. I have known the most patient endurance of want and of distress preferred to an application to the vestry.

Is it not your opinion that such a feeling tends very much to maintain the character of the labourer in his own estimation?—I have not the least doubt of it; and the character of the agricultural population, such as I have described, I attribute principally to their right feelings never having been debauched by the vicious practice of making the wages of their industry dependent upon the poor rates.

Is there much game in the part of the county of Cumberland with which you are best acquainted?—I am myself a preserver of game, and being so I am bound to confess, that the most fertile source of crime in my immediate neighbourhood is connected with game, and with the preservation of it.

Do you think that poaching generally has its rise from licentious habits or from distress?—I think that the lower orders, in common with the highest, have a natural love of the sport, even stimulated, perhaps, by the risks attendant on its gratification; in many cases also poverty is a strong inducement to commit the crime; but I should say, that in my own immediate neighbourhood the love of the sport predominates over almost every other consideration.

Do you think that, within your experience, the offences against the game laws have much increased?—I have latterly preserved the game more strictly than it was heretofore preserved, especially pheasants, which were almost unknown in that neighbourhood; and since I have so preserved, poaching has increased notwithstanding all my efforts to prevent it, or rather, perhaps, in consequence of my efforts to increase the quantity of game.

Do you think that the increase of offences is owing to the facility of taking pheasants?—The tameness of these birds, seen constantly in the fields close to the roads, is, I think, a great temptation to the lower orders to take them.

Do you find that poaching leads to the commission of other petty offences?—Decidedly; especially the poaching which takes place at night in the covers in pursuit of pheasants. Persons going armed at night on a marauding excursion very seldom confine their depredations to the taking of game; and many cases of petty

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thefts, such as robbing of hen-roosts and of outhouses, have been brought before me, which I have been enabled clearly to trace to persons going out at night with the intention of poaching.

Would you be of opinion, then, that if the game did not afford a temptation, those same persons who are found poaching would not be found committing larcenies?—I can hardly venture to affirm that; but where poverty leads the parties in pursuit of game, and either by the intervention of the gamekeepers or from any other cause they fail to obtain it, they are then driven, perhaps, by necessity not to return empty handed, and to take something else.

Are you acquainted with any other sort of property so valuable that is so little defended and therefore so tempting to distressed persons?—Poultry in farm-yards are pretty nearly as little protected as pheasants in a cover, for poultry in the county of Cumberland are not shut up at night, but go at large in the farm-yard.

Is there much poultry stealing?—Within the last 18 months, the period of great distress, there has been a very great deal of stealing of poultry; it is one of the principal crimes committed by the hand-loom weavers in the extremity, I fear, of want.

Have you had the means of knowing whether those that committed that crime had been guilty previously of the crime of poaching?—In many cases I have been able to trace the same offender as being a poacher and a stealer of poultry.

You consider then the offences against the game laws as an introduction to criminal conduct, rather than the consequence of previous criminal habits?—On the whole, I should think poaching the cause rather than the consequence of criminal habits.

In the gangs of poachers which you have known detected, have you generally found that the whole gang had an interest in the success of the night by sharing the game, or that a considerable number of them were only employed by the leaders, and paid so much for their labour and for fighting, if necessary?—I think they were all participators in the profit.

Do you ever find the farmers complain that they are unable from the low state of their profits to afford sufficient wages to their labourers?—I should mention to the Committee that in Cumberland both the farmers and the agricultural labourers are content with very mean and scanty food; the sustenance of the labourer consists almost entirely of milk, potatoes, and oatmeal—he very rarely eats meat; and the farmer himself lives principally upon milk, potatoes, butter, and oatmeal, with a little bacon occasionally; and the consequence is that the labourer there is contented with his wages; for the situation of the farmer, the class immediately above him, as contrasted with his own, excites no envy or discontent, because, in point of fact, it is very little better or more luxurious.

Do you imagine, from what you have heard, that either the farmer or the labourer lives worse than he did thirty years ago?—I have carefully endeavoured to ascertain that fact, and the result of my inquiries is, that on the whole, neither the farmer nor the agricultural labourer is in a worse condition than he was thirty years ago, in my own district.

Are you aware of any mischiefs arising from the population living habitually on the lowest quality of food, such as are found to arise in Ireland from that cause?—A year in which the potatoe crop fails is certainly a year of great distress, for the potatoe being the lowest and cheapest species of food, it is difficult to find any substitute on an emergency.

Do, practically, great mischiefs arise in consequence, such as famine?—Fortunately it is a crop which very rarely fails; I think I can only remember an instance of a very decided failure of the potatoe crop, and that year was a year of very great distress.

Has the population increased lately in the agricultural parishes?—I have myself taken very strong means to prevent it, for it so happens that my whole estate came out of lease in the year 1822, after the currency of a lease of fourteen years; and by consolidation of farms, and the destruction of cottages, I have diminished upon my own property the population to the extent of from three to four hundred souls.

On how many acres?—On about 30,000 acres.

What was the whole extent of population?—It was under 4,000 before I reduced it.

What became of those three or four hundred?—The greater part of them being small tenants were enabled to find farms on the estates of other proprietors, who

pursued the opposite course of subdividing their estates for the purpose of obtaining higher nominal rents; others have become day labourers; and as day labourers I have reason to know that they are more thriving than they were on my estate, as small farmers, subject to a high rent, which their want of capital seldom enabled them to pay; two or three of those families went to America.

Have you any out of work?—None entirely out of work, some only partially employed; but since the dispersion of this large mass of population the supply of labour has not much exceeded the demand, for whenever I removed a family I pulled down the house, and the parochial jealousy respecting settlements is an ample check on the influx of strangers.

When the labourers are partially employed, how are their wages made up?—I have been fortunate in having the Trustees of the turnpike-roads willing to co-operate with me in my own neighbourhood; the roads were very much out of repair; we have made considerable improvements, and have employed persons out of work from time to time, especially in the winter, upon the roads.

You say they live very much upon potatoes; when the potatoe crop fails do they not come for parish relief?—The applicants for relief in periods of distress, of course, are numerous; but the vestries endeavour to follow out what they take to be the spirit of the ancient poor laws, and they withhold relief almost in all cases except those of sickness, of age, or of some other infirmity, and prefer the alternative of finding work; this work is generally on the roads by an arrangement with the trustees, who pay the men for the work done; and, as I have said before, we almost invariably insist on the parties going to the workhouse; our endeavour is, to make the receipt of relief as degrading as possible to all the applicants; the work partaking of the character of forced labour, and the workhouse being made as disagreeable as is consistent with the health of the persons who are sent there, and with the law, which limits our discretionary power.

Do you know any instances in which relief has been given from your poor rates to persons actually living in the large manufacturing towns, in order to prevent their being sent back to the parish?—I have known many cases of this kind; they are the heaviest annual charges upon our parish, for they are placed beyond our control. It is a question of comparative expense whether we will pay the out-pauper a high sum, we knowing very little of his real circumstances, in consideration of his not being returned on us; or whether we will incur the risk of having him sent with his children to our parish, in the uncertain hope of being able profitably to employ him; the decision generally is to give the relief at a distance, and not to bring back a pauper to the parish, the profits of whose labour and whose health have been exhausted in the parish seeking to remove him.

Is not the relief so given in point of fact given in aid of the wages received in the manufacturing towns?—I conceive it to be so.

Therefore, though it does not operate upon your immediate parish, it operates upon a vicious principle as it affects those towns?—Decidedly so; it is most vicious, because it is placed entirely beyond the control of those who contribute the money.

Does it not also inflict great inconvenience upon the inhabitants of the manufacturing towns by lowering the rate of wages which they would otherwise receive if your country paupers were not assisted there?—Upon general principles I should say most undoubtedly, but from my own knowledge I cannot speak to this point.

How can you prevent the payment of wages out of the poor rates when the supply of labour exceeds the demand?—Owing to the particular circumstances of this large diminution of population since the year 1822, in the parish with which I am more immediately connected, the fact is, that the supply does not much exceed the demand.

How would you propose to act in a case where the supply was too great for the demand?—I on the whole am very much disposed to believe that the power given by Mr. Sturges Bourne's Act, of enlarging workhouses, and of making them capable of containing all persons to whom the parish is bound to give relief, and a steady adherence to the principle of never giving it out of the workhouse, coupled with such regulations of the workhouse itself as are now consistent with the law of the land, (the utility of which is exemplified in the management of the workhouse at Liverpool,) would supply the means of checking the natural improvidence of the labourer, and his disposition to early marriage; he would fear to make himself dependent on parish relief; he would look at the workhouse with dread, not, as at present, almost with indifference; and by the increased exertions of the labouring classes themselves, by greater prudence on their part, formed by a wiser administration of the existing

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law, I am disposed to think that the poor rates might be reduced throughout England; at all events that their rapid inroads might be arrested.

Have you ever known relief entirely refused on the ground of character?—I have attended the select vestries of my own parish, when in the country, very regularly, and have always endeavoured not to interfere with the decisions of the persons present, who were generally working farmers; and I have been quite surprised, considering that they were the rate payers, to witness their consideration for the applicants, and the sound discretion which they exercised; certainly, character is almost invariably an ingredient in their decisions. I should say with confidence, that upon the whole the discretion cannot be vested in any body of persons who would exercise it more fairly or more prudently.

Do not you think that distress should be the reason for relief, and not character?—I have already stated that the general rule, in the parish to which I allude, is to give no relief out of the workhouse; the exception in special cases, is to give it at home; and character is the test upon which the exception is made.

Do you not think that in cases of equal distress the character of the individual, and a consideration arising from his character as to the cause of the distress, ought to be taken into the account?—By law we are bound either to give relief or to find work; and I take that alternative to be binding upon us, without reference to character.

When work is given, do you give piece work or day work?—If the man be healthy, the work we give is breaking stones upon the turnpike road; which work is paid by the square yard of stone broken, at the ordinary price which the trustees of the road pay for it; and if an able-bodied man does not in the course of the day break the average quantity, the keeper of the workhouse brings the pauper before the magistrate, and charges him with a neglect of work; and the magistrate, after hearing the case, has it in his power to send him to the house of correction for not working diligently.

Then you pay actually for the work done, without relation to the distress of the man, or to the number of children he has?—He is supported in the workhouse; he is fed and clothed at the expense of the parish, who let out his work; his earnings are carried to the account of the parish, and the parish is debited with his clothes and with his food.

What happens to him when he gets into the workhouse?—The system of the workhouse is regulated labour; he is compelled to work, and it is made as like forced labour as possible, and as degrading.

Is his food rendered dependent upon his work?—No; he is well fed and well clothed, but his food is not of a description better than that of the working classes generally.

What control have you over him to ensure his working, except his food?—The keeper of the workhouse is empowered to superintend the labour of the persons in the workhouse; if he has any complaint to make of misconduct, he takes the pauper before a magistrate, and the magistrate, by the law as it now stands, has the power of punishing him.

What mode of punishment does the magistrate adopt in such cases?—He sentences to hard labour in the house of correction.

Is that found to be effectual as a remedy?—In the gaol and house of correction at Carlisle our tread-mill has only been at work about 18 months, and though I was very sanguine when the machinery was first erected, and from what I had read and heard, had been led to believe that it was a species of hard labour that was very much disliked by prisoners, and consequently very effectual as a punishment, my subsequent experience, though short, has led me to entertain doubts upon that subject, as I find that the prisoners do not very much dislike it, and I cannot perceive that it appears very irksome to them.

Is that punishment administered with the same severity at Carlisle as it is in other gaols?—The great defect of the tread-mill is, that the severity of the punishment very much depends upon the height of the steps and the frequency of the rotation of the wheel; these vary almost in every gaol — the period that the prisoners are actually upon the wheel is very much the same in all gaols; I believe it is about seven and a half hours out of ten, two thirds on and one third off; but the Committee will perceive at once, that supposing the prisoners to be the same time on the wheel, the addition of two or three inches to each step adds excessively to the labour; this varies almost in every gaol, and in Carlisle the tread-mill is not very severe.

Do not you think if there is a dread of this punishment in some gaols, and little or none of it in others, that it is owing to the punishment being more severe in some gaols than in others?—I have always been of opinion, that by legislative interposition the

degree of labour ought to be regulated and made the same in every gaol and house of correction throughout England; because it does appear to me absurd, that where the crime is the same, and the punishment is intended also to be the same, from the accidental circumstance of the hard labour in one gaol being more severe than in another, the punishment ordained as uniform should vary to a great degree.

Are you aware, that in some gaols the punishment of the tread-mill is an object of considerable dread to the prisoners?—I had always understood that it was so, and I believed it to be so, till I had the experience of the machinery at the gaol at Carlisle; it was made by Mr. Penn, an eminent engineer, who has made tread-mills for Cold Bath Fields, and many of the principal gaols in England. I take the severity of our tread-mill to be about the average severity, and therefore a fair test of the punishment, and the result of that test would lead me to think that it is not so severe or so much disliked by prisoners as I had been led to understand.

Have you not observed a difference in prisoners with respect to the tread-mill, that it is a much more formidable punishment to some than to others?—I should state that in Carlisle male prisoners in health only are put upon the tread-mill, but among such male prisoners I have not observed that the fatigue is so severe as to produce any sensible effect greater upon one person than upon another.

Is the allowance increased for the prisoners who are put upon the tread-mill?—The only difference is that they are allowed beer, which is denied to other prisoners; and as I have mentioned the disparity of punishment arising from the circumstance of the tread-mill in one gaol being more severe than in another, I perhaps may be allowed to express an opinion, that a difference in the diet, which in one gaol is much more spare than in another, partakes of the same inconvenience I have alluded to with respect to the difference of hard labour, not contemplated by the law.

What is the usual allowance in the gaol at Carlisle?—A pound and a half of bread a-day, a small quantity of cheese, a pound of potatoes, and on Sundays a little bacon.

Is that allowance given to all prisoners, whether put on the tread-mill or not?—To all prisoners; but all male prisoners in health, condemned to hard labour, are put upon the tread-mill.

Are men committed for offences against the game laws put upon the tread-mill?—They are not; the law does not allow the magistrates to sentence them to hard labour; the confinement of the poacher is in general only a commutation of his fine.

Does the circumstance of their not being put upon the tread-mill seem to make a difference to them?—The prisoners prefer idleness to any employment; but I do not think they fear the tread-mill much more than any other forced labour.

You think then that to those condemned to prison the tread-mill is an additional object of fear?—I think it is an object of fear, inasmuch as forced labour of any sort is disagreeable; but I do not think that the principal object of terror in a well-regulated gaol is the forced labour; the solitary confinement is that which the prisoners most dread. In Carlisle gaol each prisoner is confined in a solitary cell; and in winter he remains in that cell for 16 hours out of the 24.

Is every prisoner confined in a solitary cell?—Every prisoner is confined in a solitary cell.

Does that apply to the prisoners committed for trial?—All prisoners without any exception are confined in a solitary cell during the night.

Have you made any observation generally on the effect of prison discipline in the gaol of Carlisle?—I have, and the result of that observation, coupled with inquiries from persons who have had great experience, such as Mr. Orridge the gaoler at Bury, and his son who is the gaoler at Carlisle, lead me to think that in very few cases is a gaol ever a place of reform; we have reason to know that the best conducted prisoners are those who are anxious to obtain a mitigation of their sentence by their good conduct within the walls of the prison; and in many cases a portion of their sentence has been remitted in consequence of such good conduct, and within a very short period those very individuals have committed fresh crimes of a deeper die.

So that you are of opinion that generally speaking the good conduct of prisoners is not to be attributed to any real reformation in their character?—Most decidedly.

Are workhouses very common in the county of Cumberland?—They are becoming much more so; I may say, that in every well-regulated parish in Cumberland there is a workhouse, and the disposition to refuse relief out of it is spreading daily.

Are the workhouses always confined to particular parishes, or are there district workhouses for several parishes?—Mr. Sturges Bourne's Act, which gives the power of borrowing money for the enlargement of workhouses, gives to adjoining parishes

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the power of uniting for the purpose of building a workhouse; but in Cumberland the parishes are generally large, and each parish has its own workhouse; but I do know some parishes that have joined, availing themselves of that power given by the Act.

Are the workhouses generally full?—In my parish, never; because when I enlarged it, intending to make it subservient to the principle of refusing relief out of the workhouse, I adapted it for receiving a larger number of paupers than had ever received relief at one time, foreseeing that when this principle was first acted upon a run would be made by the paupers for orders on the workhouse, in the hope that there might be more applicants than the house could contain, and that the new system might thus be made abortive.

Have you ever tried the experiment of giving to labourers half an acre or an acre of ground to cultivate?—I have always proceeded on the opposite principle, of giving them no land, and of throwing the land into large masses occupied by tenants of capital.

When you say no land, do you mean that you do not give them a garden?—Perhaps a very small garden; but my plan has been to let the cottages upon a large farm to the farmer, giving him an uncontrollable power during the currency of his lease over all the cotters upon his farm. I adopted this arrangement in consequence of a fact which came to my knowledge during the currency of the 14 years lease, preceding the leases I granted in 1822. On one farm, during that lease of 14 years, the cotters upon it had been placed under the control of the tenant, and on that farm not a single bastard child had been born, bringing any charge upon the parish, while on every other farm where the cotters paid rent directly to me, there had been heavy charges of this nature incurred; it was entirely owing to the caution of the farmer, who, as he had to pay the rate, always took care that he had persons of character, generally married men, occupying his cottages, and no loose population, such as was likely to bring a charge upon the rates.

Do you stipulate with the farmer not to sub-let the cottages at a higher rent than you put upon them?—I am not quite certain whether he is bound not to let at a higher rate, but I am disposed to believe that he is; but in fact the cottages on each farm are generally occupied by the tenant's own labourers; I have already mentioned that the wages of a ploughman are paid partly in money and partly by a house, rent free, almost in every case.

To what cause do you attribute the inadequate remuneration of labour?—I have already answered that in the agricultural districts of Cumberland the working classes are as well off as they were 30 years ago; I do not think the condition of the working classes is much deteriorated.

Then all things are nearly as they should be in that respect?—The manufacturing district, as I have already endeavoured to describe, is in very different circumstances, and is suffering the extremity of distress.

Have you any manufacturing district in your own neighbourhood?—I have in the parish in which I live a considerable body of hand-loom weavers.

Are there any peculiar offences in Cumberland which are not common to the rest of the kingdom?—Next to poaching, or even equal to poaching, as a source of crime, I consider the smuggling of whiskey to be the most important; and this still prevails to a great extent on account of the small duty of 2*s.* a gallon, payable on whiskey brought from Scotland into England, quite insignificant as a source of revenue, but fatal as an encouragement to lawless habits.

With respect to the reformation of offenders in prison, you stated that your views upon that subject were much less sanguine than they had been; do you attribute their non-reformation to their early character, or to their always associating in prison with the criminals?—I must ascribe the cause of their not being reformed to the deep taint of their character before they are sent to prison; because in the gaol of Carlisle classification is carried even further than the late Prison Act directs; the prisoners are rarely left alone, they are constantly under the eye of the governor and of the watchmen, who attend them when on the tread-mill, there they are not allowed even to speak to each other; a large portion of the twenty-four hours is spent by each prisoner alone in his own cell, and the contamination arising from intercourse is almost entirely prevented; consequently I can only arrive at the conclusion, that the non-reformation of prisoners is owing to a taint of the character before they are sent to prison.

Do you think that prison discipline can ever effect much more than has been effected in the best regulated prisons in this country?—I think it impossible to carry wholesome discipline further than it is now carried in the best regulated gaols in England

England, with the exception, however, of the two suggestions I have made, relative to equalizing the punishment of the tread-mill, and assimilating the diet in every gaol throughout England.

Sir James Graham, Bart.

8 June 1827.

EXTRACT of a LETTER from GEORGE TOLLET, Esq., dated Betley Hall, Stafford, 7th June 1826, addressed to a Member of the Committee, was delivered in and read as follows: —

" I think the uncertainty of punishment in regard to the higher offences is a main cause of the increase of crime. Burglary, unaccompanied with personal violence, horse-stealing, breaking into dwelling-houses, stealing in dwelling-houses, sheep-stealing, &c. &c. are now reckoned nothing more than transportable offences, and transportation in its present state is for the most part considered as a boon, for which the culprit often returns his thanks. This creates a sort of gambling with crime, which is not unfrequently successful. To lessen capital punishments, and upon conviction to put the law into force more certainly, would tend to diminish crime. The giving up the bodies of persons executed to the surgeons would have a good effect, and prevent the most scandalous practices to get the bodies which public necessity requires; making transportation, or some substitute for it, more to be dreaded, would have a great effect. Again, the expense and trouble of prosecution has created a disinclination to prosecute. A man was brought before me who had in one morning committed four thefts in shops in the town of Burslem; from three he would have got off without prosecution; the owner of the fourth shop was a member of a society for the prosecution of felons, who was bound under a penalty to give notice to the solicitor to prosecute, &c. and the man was convicted and transported. He was unlucky in his last act, or he would have gone to the next town with the chances much in his favour. Therefore, if any thing more could be done to encourage prosecutions, and at the same time diminish the expenses of them, it would be very desirable.

" An Account of the Number of Persons committed to the Custody of His Majesty's Gaol for the County of Stafford, at the Lent Assizes, 13th March 1782.

For felony, at the assizes	11	persons.
For felony, at the sessions	1	ditto.
Total	12	

" The like Account at the Epiphany Sessions, the 10th of January 1827.

For felony	78	persons.
For misdemeanors —		
Assaults, &c.	10	persons.
Game laws	5	ditto.
Base coin	2	ditto.
Fraud	7	ditto.
Bastardy	4	ditto.
Total	106	

" The like Account at the adjourned Epiphany Sessions, 8th March 1827.

For felony	68
For misdemeanors —	
Assaults, &c.	2
Fraud, continued from Epiphany Sessions (6)	—
Game laws	1
Rogue and vagabond	1
Total	72

" The like Account for the Lent Assizes, 15th March 1827.

For various offences - - Total - - 75."

Martis, 19° die Junii 1827.

THE Chairman delivered in a Return of the Number of Persons charged with Criminal Offences, who were committed, &c. in the Years 1810 to 1823; also of the Number of Persons charged, &c. in the years 1820 to 1826. The same were read, and are as follow:—

NUMBER of Persons charged with CRIMINAL OFFENCES, committed to the different Gaols in ENGLAND and WALES, for Trial, in each County.

	In the Years							Total Number in the Seven Years.
	1810.	1811.	1812.	1813.	1814.	1815.	1816.	
Anglesey	1	1	-	2	2	2	4	12
Bedford	22	27	17	34	27	28	43	198
Berks	55	63	108	79	83	77	103	568
Brecon	5	5	5	13	11	15	8	62
Bucks	47	37	33	64	47	50	65	343
Cambridge	19	21	34	45	37	64	71	291
Cardigan	3	3	4	1	4	7	-	22
Carmarthen	10	11	10	6	8	12	17	74
Carnarvon	2	5	2	8	3	12	3	35
Chester	83	99	155	146	136	160	187	966
Cornwall	38	31	45	42	39	54	84	333
Cumberland	32	17	53	42	23	28	51	246
Denbigh	9	8	7	11	10	5	15	65
Derby	37	37	60	71	38	57	60	360
Devon	147	152	179	197	235	264	284	1,458
Dorset	37	44	47	65	43	62	81	379
Durham	35	37	33	33	35	49	55	277
Essex	163	130	152	221	174	191	236	1,267
Flint	5	2	3	4	3	6	7	30
Glamorgan	12	18	13	26	20	15	22	126
Gloucester	125	109	155	175	139	187	243	1,133
(Bristol)	49	68	78	68	70	98	104	535
Hants	106	157	234	206	228	217	268	1,416
Hereford	47	66	83	79	61	54	87	477
Herts	64	50	109	64	61	80	81	509
Huntingdon	4	8	11	18	21	23	15	100
Kent	224	210	281	330	260	327	325	1,957
Lancaster	563	661	831	830	816	959	1,212	5,872
Leicester	55	57	65	77	42	71	125	492
Lincoln	68	65	84	102	116	156	133	724
Merioneth	1	2	2	5	1	3	6	20
Middlesex	1,424	1,482	1,663	1,707	1,646	2,005	2,226	12,153
Monmouth	17	18	21	18	26	24	19	143
Montgomery	14	5	13	18	8	9	14	81
Norfolk	118	143	137	162	119	185	244	1,108
Northampton	31	51	54	65	60	81	75	417
Northumberland	57	71	31	73	68	69	88	457
Nottingham	67	78	103	92	88	121	112	661
Oxford	32	31	59	70	56	66	85	399
Pembroke	8	7	12	8	8	19	18	80
Radnor	9	6	5	6	2	3	13	44
Rutland	2	5	4	9	1	11	12	44
Salop	60	79	53	92	69	90	96	539
Somerset	118	108	201	153	139	221	244	1,184
Stafford	134	126	130	181	118	154	197	1,040
Suffolk	116	98	146	144	119	146	153	922
Surrey	243	208	296	279	255	294	366	1,941
Sussex	66	74	95	116	66	104	120	641
Warwick	169	178	177	263	224	277	341	1,629
Westmorland	1	5	9	8	6	13	18	60
Wilts	78	73	92	122	78	108	107	658
Worcester	66	84	78	109	104	130	128	699
York	248	206	304	405	337	355	420	2,275
TOTAL	5,146	5,337	6,576	7,164	6,390	7,818	9,091	47,522

Number of Persons charged with Criminal Offences, committed to the different Gaols in England and Wales, for Trial in each County — *continued.*

	In the Years							Total Number in the Seven Years.
	1817.	1818.	1819.	1820.	1821.	1822.	1823.	
Anglesey	1	1	1	4	10	4	10	31
Bedford	44	73	91	61	137	107	106	619
Berks	146	180	181	142	159	142	162	1,112
Brecon	48	22	23	36	15	9	11	164
Bucks	75	88	126	97	86	101	121	694
Cambridge	98	99	96	88	153	115	155	804
Cardigan	14	23	16	8	7	11	2	81
Carmarthen	14	56	35	22	12	19	35	193
Carnarvon	10	15	11	10	20	9	14	89
Chester	285	265	310	332	312	303	249	2,056
Cornwall	120	135	111	103	87	72	68	696
Cumberland	89	50	55	55	66	50	38	403
Denbigh	31	33	26	21	17	23	14	165
Derby	165	113	143	94	105	90	86	796
Devon	380	416	431	337	341	333	356	2,594
Dorset	122	120	126	78	90	97	135	768
Durham	87	76	75	75	77	61	71	522
Essex	319	312	407	269	303	*273	*388	2,271
Flint	20	11	15	22	11	16	9	104
Glamorgan	50	32	51	33	28	26	33	253
Gloucester	442	376	388	358	291	270	264	2,389
(Bristol)	166	176	150	159	166	170	142	1,129
Hants	378	367	312	315	359	267	260	2,258
Hereford	174	141	121	112	124	104	93	869
Herts	123	111	147	144	128	*99	*123	875
Huntingdon	30	38	41	29	16	29	35	218
Kent	528	495	476	520	492	*458	*504	3,473
Lancaster	1,946	1,771	1,896	1,963	1,716	1,663	1,632	12,587
Leicester	170	193	193	150	209	137	151	1,203
Lincoln	232	229	220	210	188	179	222	1,480
Merioneth	9	9	5	7	4	3	4	41
Middlesex	2,686	2,665	2,691	2,773	2,480	2,539	2,503	18,337
Monmouth	59	59	65	30	63	55	30	361
Montgomery	49	57	33	21	26	19	14	219
Norfolk	310	286	345	382	356	389	349	2,417
Northampton	145	106	165	133	127	128	135	939
Northumberland	80	97	100	110	70	81	75	613
Nottingham	191	196	268	251	240	213	196	1,555
Oxford	118	153	152	116	120	101	87	847
Pembroke	29	55	30	20	12	14	17	177
Radnor	13	19	11	11	5	12	8	79
Rutland	9	6	8	9	10	14	8	64
Salop	267	192	180	182	159	136	106	1,222
Somerset	439	470	387	405	423	485	380	2,989
Stafford	425	388	444	413	374	307	214	2,565
Suffolk	262	238	238	254	268	236	299	1,795
Surrey	491	559	585	525	587	*428	*537	3,712
Sussex	189	232	257	215	240	*225	*292	1,650
Warwick	624	579	636	594	536	431	437	3,837
Westmorland	14	16	22	17	18	14	23	124
Wilts	229	260	290	238	258	268	263	1,806
Worcester	239	239	259	206	257	207	173	1,580
York	748	669	809	951	757	699	624	5,257
TOTAL	13,932	13,567	14,254	13,710	13,115	12,241	12,263	95,082

* The Prisoners for Trial at the Special Assizes held in December 1822 upon the Home Circuit are included in the numbers in the Year 1823. The Prisoners for Trial at the like Assizes in December 1823 are *not* included herein.

NUMBER of Persons Committed, Convicted, Sentenced, Acquitted, &c. &c.

	In the Years							Total Number in the Seven Years.
	1810.	1811.	1812.	1813.	1814.	1815.	1816.	
	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	
COMMITTED FOR TRIAL; viz.								
Males - - -	3,733	3,859	4,891	5,433	4,826	6,036	7,347	36,125
Females - - -	1,413	1,478	1,685	1,731	1,564	1,782	1,744	11,397
TOTAL	5,146	5,337	6,576	7,164	6,390	7,818	9,091	47,522
CONVICTED AND SENTENCED:								
To Death* - - - -	476	404	532	713	558	553	890	4,126
To Transportation:								
For Life - -	12	29	25	50	53	38	60	267
14 Years - -	31	34	67	95	78	94	133	532
7 Years - -	526	500	588	622	625	826	861	4,548
To Imprisonment, and severally to be whipped, fined, pilloried, kept to hard labour, &c.								
5 Years - -	1	- -	- -	- -	- -	- -	3	4
4 Years - -	- -	- -	1	- -	- -	1	- -	2
3 Years - -	5	4	5	6	11	7	16	54
2 Years, and above 1 Year - -	138	141	211	229	177	229	249	1,374
1 Year, and above 6 Months -	424	381	492	590	525	666	704	3,782
6 Months, and under - -	1,397	1,523	1,797	1,934	1,861	2,315	2,691	13,518
To Whipping and Fine -	148	147	195	183	137	154	190	1,154
TOTAL CONVICTED	3,158	3,163	3,913	4,422	4,025	4,883	5,797	29,361
ACQUITTED - - -	1,130	1,234	1,494	1,451	1,373	1,648	1,884	10,214
NO BILLS found, and NOT PROSECUTED - -	858	940	1,169	1,291	992	1,287	1,410	7,947
TOTAL	5,146	5,337	6,576	7,164	6,390	7,818	9,091	47,522
* Of whom were EXECUTED -	67	45	82	120	70	57	95	536

Number of Persons Committed, Convicted, Sentenced, Acquitted, &c. &c.— *continued.*

	In the Years							Total Number in the Seven Years.
	1817.	1818.	1819.	1820.	1821.	1822.	1823.	
	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	
COMMITTED FOR TRIAL; viz.								
Males - - -	11,758	11,335	12,075	11,595	11,173	10,369	10,342	78,647
Females - - -	2,174	2,232	2,179	2,115	1,942	1,872	1,921	14,435
TOTAL	13,932	13,567	14,254	13,710	13,115	12,241	12,263	93,082
CONVICTED AND SENTENCED:								
To Death* - - -	1,302	1,254	1,314	1,236	1,134	1,016	968	8,224
To Transportation:								
For Life - -	103	122	138	221	155	132	116	987
14 Years - -	157	236	219	341	272	84	78	1,387
10 Years - -	- -	2	- -	1	1	- -	- -	4
7 Years - -	1,474	1,692	1,723	1,655	1,675	1,316	1,327	10,862
4 Years - -	- -	- -	1	- -	- -	- -	- -	1
To Imprisonment, and severally to be whipped, fined, pilloried, kept to hard labour, &c.								
5 Years - -	1	- -	1	- -	1	2	- -	5
4 Years - -	- -	- -	2	- -	- -	- -	- -	2
3 Years - -	25	7	19	15	10	11	11	98
2 Years, and above 1 Year - -	238	259	317	355	286	376	324	2,155
1 Year, and above 6 Months -	1,079	1,026	1,054	1,153	1,117	1,129	1,074	7,632
6 Months, and under - -	4,357	4,125	4,454	4,089	3,872	3,899	4,040	28,836
To Whipping and Fine -	320	235	268	252	265	244	266	1,850
TOTAL CONVICTED	9,056	8,958	9,510	9,318	8,788	8,209	8,204	62,043
ACQUITTED - - -	2,678	2,622	2,635	2,511	2,501	2,348	2,480	17,775
NO BILLS found, and NOT PROSECUTED - -	2,198	1,987	2,109	1,881	1,826	1,684	1,579	13,264
TOTAL	13,932	13,567	14,254	13,710	13,115	12,241	12,263	93,082
* Of whom were EXECUTED -	115	97	108	107	114	95	55	691

CONVICTED:

Nature of the Crimes of which Persons were Convicted.	In the Years 1810. Number of Persons.	1811. Number of Persons.	1812. Number of Persons.	1813. Number of Persons.	1814. Number of Persons.	1815. Number of Persons.	1816. Number of Persons.
Arson, and other wilful burning of property	1	2	6	6	6	4	8
Bigamy	14	15	17	19	24	24	9
Burglary	88	76	93	165	90	119	216
Cattle stealing	14	3	12	10	13	10	13
—— maliciously killing and maiming	-	1	1	1	1	-	1
Child stealing	-	-	-	-	-	4	—
Coining	4	3	4	15	16	9	17
Coin, putting off, and uttering counterfeit	73	89	131	150	115	167	149
—— do. (having been convicted as common utterers)	6	2	3	4	8	2	—
Embezzlement (by servants)	18	21	25	21	31	28	32
Forgery, and uttering forged instruments	27	26	39	48	25	21	43
Forged bank notes, having in possession, &c.	16	17	28	47	38	50	80
Framebreaking, and destroying machinery	-	-	12	-	-	-	10
Fraudulent offences	72	55	82	89	71	115	90
Horse stealing	58	56	46	82	66	65	62
Housebreaking in the day-time, and larceny	47	30	40	60	33	53	77
Larceny, simple	2,269	2,326	2,777	3,006	2,813	3,529	4,093
—— in dwelling-houses, to the value of 40*s.*	67	64	69	84	86	86	122
—— in shops, &c. privately, &c.	27	16	33	34	35	34	36
—— on navigable rivers, &c. to the value of 40*s.*	5	3	9	4	3	2	4
—— of naval stores, to the value of 20*s.*	4	2	2	3	3	1	5
—— from bleaching grounds, &c.	3	6	3	17	2	—	9
—— from the person	64	85	98	135	167	151	224
Letters containing bank-notes, &c., secreting and stealing	2	3	4	3	2	2	4
—— sending threatening	1	-	3	2	1	2	1
Manslaughter	39	37	24	25	48	31	35
Murder	15	8	19	29	25	15	30
—— shooting at, stabbing, and administering poison, with intent to	13	10	8	5	16	8	15
—— concealing the birth of their infants	12	5	6	8	9	8	9
Oath, unlawful, taking and administering	-	-	15	6	-	-	1
Perjury	3	1	2	3	1	5	1
Piracy and felony	-	-	5	-	1	1	4
Rape, &c.	2	5	3	5	5	12	8
—— assault, with intent to commit	16	15	13	15	17	27	22
Riot and felony	-	-	-	7	—	—	—
Robbery on the person, on the highway, and other places	39	35	65	53	58	43	138
Sacrilege	1	2	4	1	1	2	2
Sheep stealing, and killing with intent to steal	39	47	41	82	51	48	79
Sodomy	5	2	1	2	5	10	2
—— assault with intent to commit, and other unnatural offences	29	15	17	22	14	10	15
Stolen goods, receiving	29	46	63	66	70	82	66
Treason, High	-	-	8	1	—	—	—
Transports being at large, &c.	14	5	16	10	9	8	5
Felony and misdemeanor, (not otherwise described)	22	29	66	77	46	95	60
Total number of persons convicted in each year	3,158	3,163	3,913	4,422	4,025	4,883	5,797

CONVICTED — *continued.*

Nature of the Crimes of which Persons were Convicted.	In the Years						
	1817.	1818.	1819.	1820.	1821.	1822.	1823.
	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.
Arson, and other wilful burning of property	11	7	6	3	5	17	6
Bigamy	25	21	26	14	18	23	19
Burglary	374	346	337	283	294	322	261
Cattle stealing	25	27	32	22	14	9	24
—— maliciously killing and maiming	-	-	1	1	1	—	—
Child stealing	5	1	2	3	3	3	1
Coining	2	-	8	-	-	2	1
Coin, putting off, and uttering counterfeit	260	239	271	168	206	183	174
—— do., (having been convicted as common utterers)	1	3	3	1	-	-	1
Embezzlement, by servants	38	27	41	43	42	58	64
Forgery, and uttering forged instruments	62	86	55	101	70	36	29
Forged bank notes, having in possession, &c.	100	155	164	272	180	1	—
Framebreaking and destroying machinery	8	-	-	-	1	—	—
Fraudulent offences	162	129	183	163	211	182	147
Game laws, offences against	127	110	76	131	149	97	153
Horse stealing	75	130	142	111	129	102	134
Housebreaking in the day-time, and larceny	152	150	160	158	167	102	124
Larceny, simple	6,420	6,459	6,724	6,499	6,152	5,946	5,977
—— in dwelling houses to the value of 40*s.*	143	142	152	163	134	133	145
—— in shops, &c. privately, &c.	27	41	32	33	5	-	1
—— on navigable rivers, &c. to the value of 40*s.*	7	2	1	1	1	—	—
—— of naval stores to the value of 20*s.*	2	4	2	3	—	—	—
—— from bleaching grounds, &c.	11	5	2	4	-	2	—
—— from the person	257	282	356	454	337	343	329
Letters containing bank notes; &c., secreting and stealing	2	-	4	—	—	—	—
—— sending threatening	-	-	-	2	1	1	—
Manslaughter	41	38	52	36	49	49	53
Murder	25	13	19	14	23	24	12
—— shooting at, stabbing, and administering poison, with intent to	26	6	14	8	12	33	14
—— concealing the birth of their infants	8	10	9	7	2	9	9
Oath, unlawful, taking and administering	-	-	-	1	—	—	—
Perjury	4	1	4	8	8	9	4
Rape, &c.	6	2	2	11	6	10	11
—— assault, with intent to commit	25	18	30	33	32	48	46
Riot and felony	-	-	-	-	2	—	—
Robbery on the person, on the highway, and other places	154	107	141	133	160	141	113
Sacrilege	3	7	3	9	5	8	4
Sheep stealing, and killing with intent to steal	169	177	187	143	90	66	79
Sodomy	2	1	3	3	1	4	3
—— assault with intent to commit, and other unnatural offences	10	13	24	17	7	23	27
Stolen goods, receiving	135	126	134	119	148	121	117
Treason, high	23	-	-	33	1	—	—
Transports being at large, &c.	7	3	7	2	9	3	4
Felony, cutting hopbinds growing, &c.	-	-	1	—	—	—	—
—— cutting down trees growing, &c.	-	-	1	-	-	1	1
—— stealing part of a wreck	-	-	-	-	-	-	1
—— trafficking in slaves	-	-	3	2	—	—	—
Felony and misdemeanor (not otherwise described)	122	70	96	106	113	98	116
Total number of persons convicted in each year	9,056	8,958	9,510	9,318	8,788	8,209	8,204

NUMBER of Persons charged with CRIMINAL OFFENCES, committed to the different Gaols in ENGLAND and WALES, for Trial, in each County.

	In the Years						
	1820.	1821.	1822.	1823.	1824.	1825.	1826.
	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.
Anglesey	4	10	4	10	9	7	2
Bedford	61	137	107	106	102	123	83
Berks	142	159	142	162	148	154	140
Brecon	36	15	9	11	16	21	14
Bucks	97	86	101	121	143	160	113
Cambridge	88	153	115	155	110	137	142
Cardigan	8	7	11	2	16	4	9
Carmarthen	22	12	19	35	21	28	15
Carnarvon	10	20	9	14	26	15	14
Chester	332	312	303	249	361	306	415
Cornwall	103	87	72	68	83	109	110
Cumberland	55	66	50	38	64	57	54
Denbigh	21	17	23	14	20	26	24
Derby	94	105	90	86	77	84	134
Devon	337	341	333	356	402	437	440
Dorset	78	90	97	135	120	119	138
Durham	75	77	61	71	84	103	117
Essex	269	303	*273	*388	*460	*408	*403
Flint	22	11	16	9	6	11	12
Glamorgan	33	28	26	33	43	24	43
Gloucester	358	291	270	264	307	352	427
(Bristol)	159	166	170	142	135	133	158
Hants	315	359	267	260	321	357	285
Hereford	112	124	104	93	99	68	97
Herts	144	128	*99	*123	*138	*162	*192
Huntingdon	29	16	29	35	29	31	34
Kent	520	492	*458	*504	*617	*577	*632
Lancaster	1,963	1,716	1,663	1,632	1,897	2,132	2,374
Leicester	150	209	137	151	131	148	237
Lincoln	210	188	179	222	226	198	221
Merioneth	7	4	3	4	5	1	2
Middlesex	2,773	2,480	2,539	2,503	2,621	2,902	3,457
Monmouth	30	63	55	30	54	55	60
Montgomery	21	26	19	14	20	36	3
Norfolk	382	356	389	349	399	409	441
Northampton	133	127	128	135	109	129	123
Northumberland	110	70	81	75	89	87	72
Nottingham	251	240	213	196	204	219	287
Oxford	116	120	101	87	147	110	167
Pembroke	20	12	14	17	19	26	20
Radnor	11	5	12	8	13	24	3
Rutland	9	10	14	8	18	7	17
Salop	182	159	136	106	174	126	130
Somerset	405	423	485	380	450	523	490
Stafford	413	374	307	214	263	276	448
Suffolk	254	268	236	299	301	292	293
Surrey	525	587	*428	*537	*558	*591	*699
Sussex	215	240	*225	*292	*319	*273	*277
Warwick	594	536	431	437	542	482	581
Westmorland	17	18	14	23	21	16	9
Wilts	238	258	268	263	254	314	324
Worcester	206	257	207	173	154	165	169
York	951	757	699	624	753	883	996
TOTAL	13,710	13,115	12,241	12,263	13,698	14,437	16,147

* The Prisoners for Trial at the Special Assizes commencing in December, upon the Home Circuit in each year, are included in the numbers in the following year. The Prisoners for trial at the like Assizes commencing in December 1826 are therefore *not* included herein.

NUMBER of Persons Committed, Convicted, Sentenced, Acquitted, &c. &c.

	In the Years							Total Number in the Seven Years.
	1820.	1821.	1822.	1823.	1824.	1825.	1826.	
	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	Number of Persons.	
COMMITTED FOR TRIAL; viz.								
Males - - -	11,595	11,173	10,369	10,342	11,475	11,889	13,461	80,304
Females - - -	2,115	1,942	1,872	1,921	2,223	2,548	2,686	15,307
TOTAL	13,710	13,115	12,241	12,263	13,698	14,437	16,147	95,611
CONVICTED AND SENTENCED:								
To Death* - - -	1,236	1,134	1,016	968	1,066	1,036	1,200	7,656
To Transportation:								
For Life - -	221	155	132	116	117	126	133	1,000
14 Years - -	341	272	84	78	107	129	185	1,196
10 Years - -	1	1	- -	- -	- -	- -	- -	2
7 Years - -	1,655	1,675	1,316	1,327	1,491	1,419	1,945	10,828
4 Years - -	- -	- -	- -	- -	1	- -	- -	1
To Imprisonment, and severally to be whipped, fined, kept to hard labour, &c.								
5 Years - -	- -	1	2	- -	- -	- -	- -	3
3 Years - -	15	10	11	11	11	7	11	76
2 Years, and above 1 Year - -	355	286	376	324	339	365	297	2,342
1 Year, and above 6 Months -	1,153	1,117	1,129	1,074	1,218	1,193	1,201	8,085
6 Months, and under - -	4,089	3,872	3,899	4,040	4,861	5,408	5,813	31,982
To Whipping and Fine -	252	265	244	266	214	281	310	1,832
TOTAL CONVICTED	9,318	8,788	8,209	8,204	9,425	9,964	11,095	65,003
ACQUITTED - - -	2,511	2,501	2,348	2,480	2,611	2,788	3,266	18,505
No BILLS found, and NOT PROSECUTED - -	1,881	1,826	1,684	1,579	1,662	1,685	1,786	12,103
TOTAL	13,710	13,115	12,241	12,263	13,698	14,437	16,147	95,611
* Of whom were EXECUTED -	107	114	97	54	49	50	57	528

CONVICTED.

Nature of the Crimes of which Persons were Convicted.	In the Years 1820. Number of Persons.	1821. Number of Persons.	1822. Number of Persons.	1823. Number of Persons.	1824. Number of Persons.	1825. Number of Persons.	1826. Number of Persons.
Arson, and other wilful burning of property	3	5	17	6	6	7	3
Bigamy	14	18	23	19	22	25	35
Burglary	283	294	322	261	302	276	309
Cattle stealing	22	14	9	24	19	24	21
—— maliciously killing and maiming	1	1	-	-	2	—	—
Child stealing	3	3	3	1	-	3	1
Coining	-	-	2	1	2	1	7
Coin, putting off, and uttering counterfeit	168	206	183	174	204	174	209
—— do., (having been convicted as common utterers)	1	-	-	1	2	2	1
Embezzlement, by servants	43	42	58	64	71	70	91
Forgery, and uttering forged instruments	101	70	35	29	22	18	23
Forged bank notes, having in possession, &c.	272	180	1	-	-	-	4
Framebreaking and destroying machinery	-	1	-	-	-	3	—
Fraudulent offences	163	211	182	147	142	176	157
Game laws, offences against	131	149	97	153	140	109	128
Horse stealing	111	129	102	134	104	165	120
Housebreaking in the day-time, and larceny	158	167	102	124	128	112	125
Larceny, simple	6,499	6,152	5,946	5,977	6,914	7,293	8,081
—— in a dwelling house to the value of 40*s.*	163	134	133	145	188	186	222
—— in a shop, &c. privately, &c.	33	5	-	1	2	—	—
—— on a navigable river, &c. to the value of 40*s.*	1	1	—	—	—	—	—
—— of naval stores to the value of 20*s.*	3	—	—	—	—	—	—
—— from bleaching grounds, &c.	4	-	2	-	-	-	1
—— from the person	454	337	343	329	446	532	658
Letter containing bank notes, &c., secreting and stealing	-	-	-	-	1	2	—
—— sending threatening	2	1	1	-	2	-	2
Manslaughter	36	49	49	53	50	62	62
Murder	14	23	24	12	17	12	13
—— shooting at, stabbing, and administering poison, with intent to	8	12	33	14	21	17	14
—— concealing the birth of their infants	7	2	9	9	6	7	7
Oath, unlawful, taking and administering	1	—	—	—	—	—	—
Perjury	8	8	9	4	3	7	6
Piracy	-	-	-	-	-	2	—
Rape, &c.	11	6	10	11	9	6	4
—— assault, with intent to commit	33	32	48	46	43	42	83
Riot and felony	-	2	-	-	-	-	48
Robbery on the person, on the highway, and other places	133	160	141	113	124	93	144
Sacrilege	9	5	8	4	4	1	4
Sheep stealing, and killing with intent to steal	143	90	66	79	105	104	127
Sodomy	3	1	4	3	1	2	1
—— assault with intent to commit, and other unnatural offences	17	7	23	27	15	25	20
Stolen goods, receiving	119	148	121	117	184	131	156
Treason, high	33	1	—	—	—	—	—
Transports being at large, &c.	2	9	4	4	3	4	12
Felony, cutting down trees growing, &c.	-	-	1	1	—	—	—
—— stealing part of a wreck	-	-	1	1	—	—	—
—— armed to assist smugglers, &c.	-	-	-	-	1	2	1
—— rescuing felons	-	4	—	—	—	—	—
—— trafficking in slaves	2	—	—	—	—	—	—
Felony and misdemeanor (not otherwise described)	106	109	97	116	120	269	195
Total number of persons convicted in each year	9,318	8,788	8,209	8,204	9,425	9,964	11,095

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